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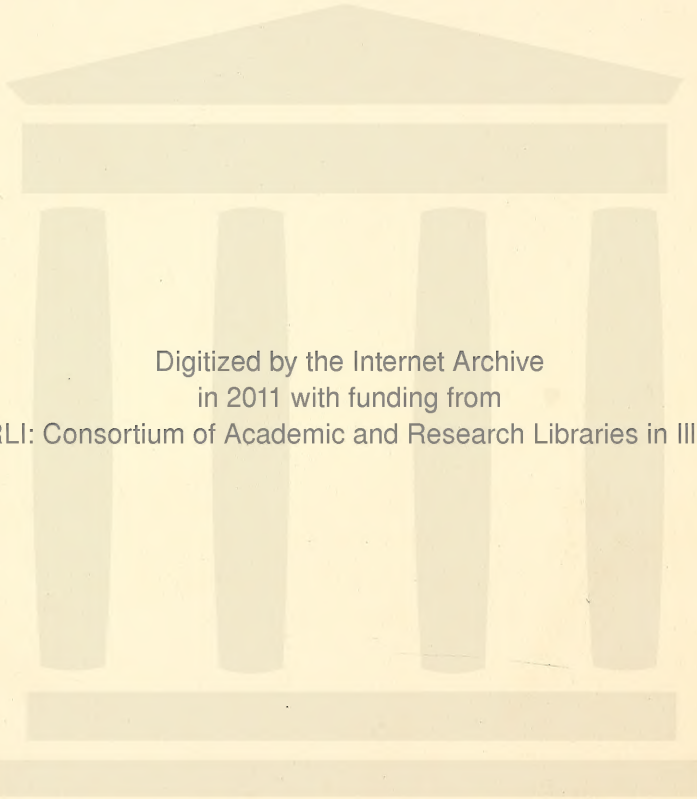
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# LAWS

OF THE

# STATE OF ILLINOIS

ENACTED BY THE

Forty-Seventh General Assembly

AT THE

REGULAR BIENNIAL SESSION

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF  
SPRINGFIELD, ON THE FOURTH DAY OF JANUARY  
A. D. 1911, AND ADJOURNED SINE DIE ON THE  
FIRST DAY OF JUNE, A. D. 1911.

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CHICAGO SCHOOL OF CIVICS  
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## CONTENTS.

	PAGE.
<b>ADMINISTRATION OF ESTATES:</b>	
An Act to amend sections 20 and 21 of an Act entitled, "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended, and to add to said Act two new sections, one to be known as section twenty A (20A) and the other as section seventy-eight	1
<b>AGRICULTURE AND HORTICULTURE:</b>	
An Act to amend section seven (7) of an Act entitled, "An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same," approved June 23, 1883, in force July 1, 1883, as amended by Act approved April 26, 1907, in force July 1, 1907	3
An Act to prevent the introduction and spread in Illinois of foul brood among bees, providing for the appointment of a State Inspector of Apiaries and prescribing his powers and duties	4
<b>ANIMALS:</b>	
An Act to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any city, village, incorporated town, county or other corporate authority in the State of Illinois	6
An Act to amend section seven (7) of an Act entitled, "An Act to regulate the public service of stallions in Illinois," approved June 10, 1909, in force January 1, 1910	7
<b>APPROPRIATIONS:</b>	
An Act making appropriation for county fairs or other agricultural societies of the State of Illinois	9
An Act making an appropriation for the Illinois Farmers' Institute and county farmers' institutes	10
An Act to make an appropriation to the State Entomologist for the protection of farm crops against injurious insects	11
An Act making an appropriation for the State Board of Agriculture and county and other agricultural fairs	12
An Act making appropriation for the State Board of Agriculture, to be used in the construction of permanent improvements on the State fair grounds	13
An Act making an appropriation to pay for additional clerical services in the office of the Auditor of Public Accounts until July 1, 1911	13
An Act making an appropriation for the payment of the amounts awarded by the Court of Claims to certain persons named therein	14
An Act to transfer the balances remaining in the State treasury on July 1, 1911, to the credit of the State Game Protection Fund, the State Fish Protection Fund, the State Food Commissioner's Fund and the Board of Administration Fund to the General Revenue Fund and to provide that all receipts on account of said departments be paid into the State treasury to the credit of the general revenue fund	15
An Act making an appropriation for the Illinois State Bee-Keepers' Association	15
An Act making an appropriation for the repair and reconstruction of bridges over and along the Illinois and Michigan Canal	16
An Act making an appropriation for repairs to the locks, dykes and dams in and along the Illinois river, at Henry and Copperas Creek; and for the maintenance of navigation in and along such portions of the Illinois river as are under the jurisdiction of the Canal Commissioners	17
An Act making an appropriation for the visitation and instruction of the adult blind and providing for the expenditure thereof	17
An Act making an appropriation for a water supply for the Anna State Hospital	18
An Act making an appropriation for paving South State street and the continuation thereof abutting the property of the Elgin State Hospital of Elgin, Illinois	19

APPROPRIATIONS—*Continued.*

PAGE.

An Act making an appropriation for the purchase of ground and the erection of buildings for a new insane hospital .....	20
An Act making appropriations for the ordinary and other expenses of the State charitable institutions herein named.....	20
An Act making appropriations for the State charitable institutions herein named .....	24
An Act making an appropriation for the Illinois Surgical Institution for Children in the State of Illinois .....	28
An Act making an appropriation for the Illinois Dairymen's Association..	28
An Act to make an appropriation for the ordinary expenses of the Eastern Illinois State Normal School at Charleston, Illinois.....	29
An Act to make an appropriation for library, laboratory, grounds, green house, and for building, equipment and furnishings at the Eastern Illinois State Normal School at Charleston, Illinois.....	29
An Act for an appropriation for ordinary expenses of the Northern Illinois State Normal School, DeKalb.....	30
An Act making an appropriation for the Northern Illinois State Normal School, DeKalb .....	31
An Act to make an appropriation for the ordinary expenses of the Southern Illinois Normal University, at Carbondale, Illinois.....	32
An Act to make an appropriation to construct and furnish a women's building and gymnasium and to provide for needed repairs, equipment and furnishings at the Southern Illinois Normal University at Carbondale, Ill. ....	33
An Act to make an appropriation for the ordinary expenses of the Illinois State Normal University .....	34
An Act to make an appropriation for improvements and extraordinary expenses of the Illinois State Normal University.....	34
An Act to make an appropriation to erect and complete a building for the Training School of the Illinois State Normal University.....	35
An Act making appropriations for equipment and the erection of buildings for the University of Illinois .....	36
An Act appropriating to the University of Illinois the money granted in an Act of Congress, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts," established under the provisions of an Act of Congress approved July 2, 1862, and the money granted by an Act of Congress approved March 4, 1907, entitled, "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908"....	38
An Act making appropriations for the maintenance and extension of the various departments of the University of Illinois.....	39
An Act imposing new and additional duties upon the State Water Survey and making an appropriation therefor.....	43
An Act making appropriations for the Western Illinois State Normal School	44
An Act making an appropriation to the office of the State Fire Marshal..	45
An Act to make an appropriation for the benefit, aid and maintenance of the Illinois Firemen's Association .....	46
An Act making an appropriation for the payment of the ordinary and contingent expenses of the State Fish Commission from May 1st to June 30, 1911, now unprovided for by law .....	47
An Act making an appropriation for the payments paid to the State Treasurer for license to fish under section 21 of Act entitled, "An Act to encourage the propagation and to secure the protection of fishes in all the waters under the jurisdiction of the State of Illinois, defining the duties of the fish commissioners, fixing their compensation, providing penalties for the violation of the provisions thereof," passed by the General Assembly of 1907, and known as House Bill No. 834.....	47
An Act to provide for the payment of salaries and expenses of inspectors and chemists provided for by "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, and in force July 1, 1905 .....	48
An Act making an appropriation for the payment of the ordinary and contingent expenses of the State Game Department, from the first day of February, 1911, to the 30th day of June, 1911, now unprovided for by law	49
An Act making an appropriation for the payment of the salaries of the State Game Commissioner, Game Wardens and Deputy Wardens from the first day of February, 1911, to the 30th day of June, 1911, now unprovided for by law .....	50
An Act to make an appropriation to pay the committee expenses of the Forty-seventh General Assembly .....	50
An Act making appropriations for the payment of employes of the Forty-seventh General Assembly .....	52
An Act making appropriations for the payment of employes of the Forty-seventh General Assembly .....	52
An Act to provide for the payment of the employes of the Forty-seventh General Assembly of the State of Illinois.....	52



APPROPRIATIONS—Continued.

PAGE.

An Act making an appropriation to defray the expenses of entertaining the President .....	53
An Act making an appropriation to defray the expenses of the funeral of the late Representative Frank C. Burke .....	53
An Act to provide for the incidental expenses of the Forty-seventh General Assembly of the State of Illinois, and for the care and custody of the State House and grounds, to be incurred and now unprovided for.....	54
An Act to provide for the incidental expenses of the Forty-seventh General Assembly of the State of Illinois .....	55
An Act making an appropriation for the payment of the officers and members of the next General Assembly, and for salaries of the officers of the State government .....	55
An Act making an appropriation for the payment of the printing and of the publication expenses of the Grand Army of the Republic of the Department of Illinois .....	56
An Act making appropriations for procuring and preserving documents, papers and materials and publications relating to the Northwest and the State of Illinois .....	56
An Act making an appropriation in aid of the Illinois State Horticultural Society .....	57
An Act in relation to the acquisition, control, maintenance, improvements and protection of State parks, and making an appropriation to carry into effect the provisions of this Act.....	57
An Act authorizing the appointment of a commission to revise and codify the building laws of the State of Illinois and making an appropriation to carry into effect the provisions of this Act .....	61
An Act to provide for the expenses of the committee heretofore authorized by Senate Joint Resolution No. 17, of the Senate and House of February 23, 1911, to be appointed to revise the laws pertaining to county and township organization and those pertaining to roads, highways and bridges, making an appropriation of six thousand dollars (\$6,000.00) therefor .....	62
An Act to provide for the procuring of plans and specifications for a State educational building, to investigate and report on a suitable site for its location and for the appointment of commissioners, and to make an appropriation to defray the expense of the same.....	63
An Act making an appropriation for the expense of certain persons acting as [a] voluntary commission carrying on and completing the work of a commission created and appointed by virtue of an Act of the Legislature of the State of Illinois entitled, "An Act to create an Employers' Liability Commission and making an appropriation therefor, approved March 4, 1910, the appropriation to pay the expenses of such commission having expired by operation of law on September 15, 1910.....	64
An Act to establish the Mining Investigating Commission of the State of Illinois, and prescribing its powers and duties and making an appropriation therefor .....	65
An Act making an appropriation for the Illinois Live Stock Breeders' Association .....	67
An Act making an appropriation to provide for a deficiency in the equipment of the State Biological Laboratory.....	68
An Act to make an appropriation to the State Milk Producers' Institute. An Act to appropriate \$1,000 for the Milk Producers' Institute of Illinois .....	68
An Act to provide for a deficiency in the traveling and other expenses of the State Inspectors of Coal Mines for the fiscal year ending June 30, 1911 .....	69
An Act making an appropriation for constructing and erecting a suitable monument to commemorate the one hundredth anniversary of the inauguration of a representative form of government in the State of Illinois, by the election of the first Legislature of the State of Illinois by the people of the State, the election of the delegate to Congress by popular vote; the establishing of the county of Madison, and designating the first seat of justice therein; the building of Fort Russell, and other historical incidents in the Territory of Illinois .....	69
An Act providing for the appointment of commissioners and making an appropriation for the construction of a monument in memory of Michael Kelly Lawler in Equality, Gallatin county, Illinois .....	71
An Act making an appropriation for the erection of a monument on the battlefield of Kenesaw Mountain, Georgia .....	72
An Act making an appropriation for the purpose of making miscellaneous repairs and for expense of correcting defects in the electric wiring system of the armory of the First Infantry, Illinois National Guard .....	73
An Act in relation to procuring of sites and for the erection of armory buildings for the use of the Illinois National Guard and Illinois Naval Reserve, and making an appropriation therefor .....	73
An Act to provide for the ordinary and contingent expenses of the Illinois National Guard and the Illinois Naval Reserve .....	75



APPROPRIATIONS— <i>Concluded.</i>	PAGE.
An Act to provide for the purchase of pea jackets, dress and service uniforms and other equipment for the Illinois National Guard and Illinois Naval Reserve .....	76
An Act to provide for the expenses of the voyage of torpedo boats from Charleston, S. C., to their destination in the State of Illinois.....	76
An Act creating a commission to have charge of installing and maintaining an exhibit of the products and resources of the State of Illinois at the Panama-Pacific International Exposition, and appropriating money to pay the expenses thereof .....	77
An Act making an appropriation for the acquisition of land, and matters incidental and pertaining thereto, for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Joliet, and repealing a part of a certain Act therein named.....	78
An Act making appropriations for the Southern Illinois Penitentiary at Chester .....	79
An Act to make appropriation for ordinary and other expenses of the Illinois State Penitentiary at Joliet .....	79
An Act to make appropriations for ordinary and other expenses of the Illinois State Reformatory at Pontiac .....	80
An Act to make an appropriation for the painting of a portrait of former Lieutenant Governor Lawrence Y. Sherman .....	81
An Act making an appropriation for the Illinois State Poultry Association .....	82
An Act for an appropriation for relief of Berthrol C. B. Jorgensen.....	83
An Act to make an appropriation to pay Frank McQuern for concrete work done at the Supreme Court building .....	84
An Act making an appropriation to Jessie Scott for the unpaid salary of Guy C. Scott, late Justice of the Supreme Court of Illinois .....	84
An Act to make an appropriation providing for the balance of the salary of the late Robert W. Wright, deceased, late circuit judge of the seventeenth judicial circuit in the State of Illinois, and appropriating salary to the estate of said Robert W. Wright up to the 31st day of March, 1911 .....	85
An Act making an appropriation for the payment of the salary of Representative Thomas H. Donoghue, member of the 47th General Assembly, elected to fill vacancy at a special election.....	86
An Act making an appropriation to meet the deficiency in the appropriation for the payment of public binding under contract by the State of Illinois .....	86
An Act making an appropriation to meet a deficiency in the appropriation to the Board of Commissioners of State Contracts for the purchase of printing paper and stationery .....	87
An Act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.....	90
<b>ARCHITECTS:</b>	
An Act to amend sections two (2), four (4) and ten (10) of an Act entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, as amended by an Act approved April 19, 1899, in force July 1, 1899 .....	113
<b>CANALS, LAKES AND RIVERS:</b>	
An Act creating a Rivers and Lakes Commission for the State of Illinois, and defining the duties and powers thereof .....	115
<b>CEMETERIES:</b>	
An Act to amend an Act entitled, "An Act in relation to the conveyance, use and preservation of burial lots in cemeteries," approved April 21, 1899, in force July 1, 1899, by adding thereto a new section to be known as section 2 .....	122
An Act to amend section four (4) of an Act entitled, "An Act to provide for the organization, ownership, management and control of cemetery associations," approved May 14, 1903, in force July 1, 1903 ...	123
<b>CHARITIES:</b>	
An Act conferring upon the Board of Administration of the State of Illinois the power to condemn and take real estate as therein named....	124
An Act creating the office of Supervising Engineer for the General Assembly, its members and committees and the Board of Administration of the State of Illinois, and fixing his compensation .....	124



CHARITIES—*Concluded.*

PAGE.

An Act to amend section 3 of an Act entitled, "An Act to provide for the visitation of children in family homes," approved May 13, 1905, in force July 1, 1905, as amended by an Act approved May 25, 1907, in force July 1, 1907 .....	125
An Act to amend an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms, and to provide for the treatment, control, maintenance, adoption and guardianship of the person of such children," approved June 4, 1907 .....	126
An Act to amend sections 3a and 3d of an Act entitled, "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as added by an Act approved May 13, 1903, in force July 1, 1903, and as amended as to said section 3a by an Act approved May 25, 1907, in force July 1, 1907 .....	127
An Act providing for the locating, constructing and completing of a State hospital for the insane and providing for the creation thereof .....	128
An Act to establish a surgical institution for children .....	129

## CITIES, TOWNS AND VILLAGES:

An Act to amend sections 1 and 2 of an Act entitled, "An Act to provide for the annexation of cities, incorporated towns and villages, or parts of the same, to cities, incorporated towns and villages," approved and in force April 25, 1889 .....	133
An Act to amend sections 9, 10, 11, 12, 24, 26, 27, 28, 34 and 42 of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto article XIII," approved March 9, 1910, in force July 1, 1910 .....	137
An Act to amend section thirty (30) of article XIII of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872, added thereto by the amendatory Act, approved March 9, 1910, and in force July 1, 1910 .....	144
An Act to provide greater safety to life and property from loss by fire and explosions .....	146
An Act to amend section 1 of an Act entitled, "An Act to enable cities to establish and maintain public hospitals," Approved June 17, 1891, in force July 1, 1891. (As amended by Act approved May 25, 1907, in force July 1, 1907.) .....	147
An Act to amend section 6 of article 4 of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended by an Act approved and in force April 1, 1883 .....	148
An Act to empower cities, villages and incorporated towns to provide for the deposit and disposition of corporate funds .....	149
An Act concerning municipal funds .....	150
An Act relative to borrowing money and issuing bonds by cities, towns and villages incorporated by and operating under special charters, and declaring an emergency .....	151
An Act to legalize certain elections held under "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872 .....	152
An Act to provide for the setting apart, formation and disbursement of a house of correction employés' pension fund in cities having a population exceeding 150,000 inhabitants .....	153
An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employés appointed to their positions under and by virtue of an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town .....	158
An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved and in force May 16, 1903, as amended by an Act approved and in force April 19, 1907 .....	163
An Act to amend section three of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29th, 1887, in force July 1st, 1887, as amended by an Act approved April 24th, 1899, in force July 1st, 1899, as amended by an Act approved May 11th, 1901, in force July 1st, 1901, as amended by an Act approved and in force May 16th, 1903 .....	169

CITIES, TOWNS AND VILLAGES— <i>Concluded.</i>	PAGE.
An Act to amend an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by Act approved May 11, 1901, in force July 1, 1901, as amended by Act approved and in force May 16, 1903, as amended by an Act approved and in force April 19, 1907.....	170
An Act to repeal an Act entitled, "An Act defining the county in which police magistrates elected in cities and villages lying in two or more counties shall hold office and where such police magistrates shall exercise jurisdiction," approved May 14, 1901, in force July 1, 1901.....	173
An Act to amend section 1 of article V of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907.....	173
An Act to enlarge the power of cities in relation to harbors, canals, wharves, docks, piers, slips and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, to authorize the acquisition and condemnation of property and the use, occupation, reclamation and acquisition of the submerged lands of the State in carrying out such power, and to repeal all Acts or parts of Acts in conflict therewith.....	181
An Act to amend section fifty (50) of article IX of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended by subsequent Acts.....	185
An Act to authorize cities and villages, which include wholly within their corporate limits, a town or towns, to levy for street purposes a tax in addition to the tax of one and two-tenths (1 2-10) per centum upon the aggregate valuation of all property within such city, village or incorporated town, as now prescribed by law.....	186
An Act to provide for the voluntary dissolution of villages, and to provide for the means of closing up the affairs of said village.....	187
An Act to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, by adding to article 3 a new section to be known as section 2a..	189
An Act to provide for the organization of water districts to enable certain territory to procure pure water.....	190
CIVIL SERVICE:	
An Act to regulate the civil service of counties.....	199
An Act relating to the civil service in park systems.....	211
An Act to amend sections 3, 4, 6, 9, 10, 11, 12 and 14 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905; as amended by an Act approved April 19, 1907, in force July 1, 1907; as amended by an Act approved May 25, 1907, in force July 1, 1907, and by adding two new sections to be known as sections 3a and 3b.....	222
COMMON CARRIERS:	
An Act in regard to bills of lading and to create, define and punish certain criminal offenses in relation thereto.....	228
CORPORATIONS:	
An Act authorizing the extending of the term of duration of corporations in certain cases.....	239
An Act to amend section three (3) of "An Act entitled, 'An Act to regulate the admission of foreign corporations for profit, to do business in the State of Illinois,'" approved May 18, 1905, in force July 1, 1905....	240
An Act to enable fraternal and benevolent societies incorporated by special Acts of the General Assembly to take and hold property and borrow money needful and proper to serve and accomplish the purposes of their organization to the same extent as similar societies incorporated not for pecuniary profit under the general incorporation laws of this State	241
COUNTIES:	
An Act to create the office of county auditor in counties under township organization of over seventy-five thousand (75,000) inhabitants and under three hundred thousand (300,000), to provide for his nomination, election, term of office, salary and to define his duties.....	242
An Act authorizing and empowering county boards to employ and pay a stenographer, and to legalize and make valid the acts of county boards heretofore done in employing and paying stenographers.....	243
An Act to empower the board of supervisors in counties under township organization or the board of county commissioners in counties not under township organization, to appropriate funds for educational or agricultural exhibits at county fairs.....	243



COUNTIES—*Concluded.*

PAGE.

An Act to enable county boards of supervisors in counties under township organization and county commissioners in counties not under township organization, to appropriate county funds for use of county farmers' institutes .....	244
An Act entitled, "An Act to authorize boards of county commissioners or boards of supervisors, as the case may be, to lease space in court houses (not needed for county purposes) to the State or any court thereof, to cities, villages, towns, sanitary districts or other municipal corporations" .....	244
An Act to amend section 24 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by an Act approved April 26, 1909, in force July 1, 1909, and by adding thereto a paragraph to be known as sixth. ....	245
An Act to amend section 24 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by Act approved April 26, 1909, in force July 1, 1909. ....	246

COURTS:

An Act to aid in a more speedy disposition of the business of the appellate courts .....	247
An Act providing for the creation of additional branch appellate courts. ....	248
An Act to amend section two (2) of an Act entitled, "An Act to establish appellate courts," approved June 2, 1877, in force July 1, 1877, as amended by an Act approved April 22, 1899, in force July 1, 1899, as amended by an Act approved June 5, 1909, in force July 1, 1909. ....	249
An Act to amend section 7 of an Act entitled, "An Act in relation to courts of record in cities," approved May 10, 1901, in force July 1, 1901 .....	250
An Act to amend section eleven of an Act entitled, "An Act to revise the law in relation to clerks of courts," approved March 25, 1874, in force July 1, 1874 .....	250
An Act to amend section 54 of an Act entitled, "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874. ....	251
An Act to amend section sixty-eight (68) of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874. ....	252
An Act to amend section 89 of an Act entitled, "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874 .....	252
An Act to amend section 99 of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, etc.," approved March 26th, 1874, in force July 1st, 1874 .....	253
An Act to amend section 50 of an Act entitled, "An Act to regulate the practice in courts of chancery," approved March 15, 1872, and in force July 1, 1872 .....	253
An Act to provide for the disposition of money in the control of courts of record which is unclaimed or where there is no person to whom the same can be paid .....	254
An Act to amend sections 3, 15 and 17 of an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, in force July 1, 1905; submitted to the voters of the city of Chicago at the election held November 7, 1905, and adopted, and as amended by Act approved June 3, 1907, in force July 1, 1907; adopted at election held September 17, 1907, and to further amend said Act, as amended, by adding thereto two additional sections to be known respectively as sections 14a and 14b .....	255
An Act to amend an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, as amended by an Act approved June 3, 1907, entitled, "An Act to amend an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905" .....	260
An Act providing for a system of probation, for the appointment and compensation of probation officers, and authorizing the suspension of final judgment and the imposition of sentence upon persons found guilty of certain defined crimes and offenses, and legalizing their ultimate discharge without punishment .....	277
An Act to provide for the election and time of election of judges of the superior court of Cook county .....	284
An Act to provide for an increase in the number of judges of the superior court of Cook county and to provide for the nomination of candidates for said judicial offices. ....	285

COURTS— <i>Concluded.</i>	PAGE.
An Act to regulate the reporting of the decisions of the Supreme Court of this State, to fix the compensation of the reporter, to fix the price of said reports, to provide for the purchase of certain copies thereof by the State and for their distribution, and repealing a certain Act therein named .....	286
CRIMINAL CODE:	
An Act to amend section 1 of an Act entitled, "An Act to protect all citizens in their civil and legal rights, and fixing a penalty for violation of the same," approved June 10, 1885, in force July 1, 1885, as amended by Act approved May 15, 1903, in force July 1, 1903.....	288
An Act to prohibit the use of a common drinking cup, glass or other utensil used for public drinking purposes in public and private schools, State educational institutions, halls used for public meetings or entertainments, hotels, lodging houses, theatres, factories or public or municipal buildings, on railroad trains and stations and in other public places in the State of Illinois .....	289
An Act to amend section seven (7) of division two (2) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended by an Act approved April 21, 1899.	290
An Act to amend sections one hundred eighty-nine (189) and one hundred ninety (190) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874 .....	290
An Act to prevent and punish fraud in sales of goods, wares and merchandise at public or private sale, by itinerant vendors and to regulate all such sales .....	291
An Act to prohibit any junk dealer, or any second-hand dealer, or any pawnbroker from purchasing or receiving on deposit, or pledge, goods or anything of value from a minor, and providing a punishment for a violation thereof .....	294
An Act to amend section 9 of an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole; and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899 .....	295
DRAINAGE:	
An Act to amend section 3 of an Act entitled, "An Act to require drainage districts lying above a lower drainage district, or emptying into a lower drainage district, whether such districts be organized under the same or different drainage laws of this State, to pay to the lower drainage district, for benefits received, if any, by the lands of the upper district, by the enlarging or improving of the ditches or drains of the lower district, or the construction of an outlet or outlets for the ditches or drains of the lower district, within or outside the boundaries of said lower district; and to provide for the collection and payment of such benefits," approved May 14, 1903, in force July 1, 1903.....	296
An Act to amend section 1 of an Act entitled, "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to the erection, maintenance and operation of such pumping plants," approved and in force May 13, 1905, as amended by an Act approved May 20, 1907, in force July 1, 1907.....	297
An Act to amend an Act entitled, "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to the erection, maintenance and operation of such pumping plants," approved and in force May 13, 1905, as amended by Act approved May 20, 1907, and in force July 1, 1907.....	298
An Act to create sanitary districts, and to provide for sewage disposal.....	299
An Act to amend section four (4) of an Act entitled, "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois rivers," approved May 29th, 1889, in force July 1st, 1889; as amended by an Act approved June 10th, 1895, in force July 1st, 1895; as amended by an Act approved May 13, 1897, in force July 1, 1897; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 11, 1905, in force July 1, 1905; as amended by an Act approved May 13, 1905, in force July 1, 1905; as amended by an Act approved February 27, 1907, in force February 27, 1907; as amended by an Act approved May 25, 1907, in force July 1, 1907; as amended by an Act approved June 14, 1909, in force July 1, 1909 .....	307



DRAM SHOPS:	PAGE.
An Act prohibiting the sale, distribution or gift of malt, spirituous, vinous or intoxicating liquors near any soldiers' and sailors' home owned or maintained by the State of Illinois, and providing a penalty for the violation thereof .....	309
<b>ELECTIONS:</b>	
An Act to amend sections 13 and 14 of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891.....	310
An Act to amend sections 5 and 6 of article 7 of an Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 17, 1895, in force July 1, 1895, as amended by an Act approved June 9, 1897, in force July 1, 1897, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved May 25, 1907, in force July 1, 1907, as amended by an Act approved June 10, 1909, in force July 1, 1909.....	313
<b>EMPLOYMENT:</b>	
An Act in relation to the use of basements or rooms lying wholly or partly beneath the surface of the ground as work rooms.....	314
An Act to promote the general welfare of the people of this State, by providing compensation for accidental injuries or death suffered in the course of employment .....	315
An Act to amend section 2 of an Act entitled, "An Act to provide for the establishment of a department of factory inspection, providing for the appointment of factory inspectors and an attorney for the department and prescribing their duties and to repeal all Acts or parts of Acts in conflict therewith," approved June 3, 1907, and in force July 1, 1907..	326
An Act to amend sections 1 and 2 of an Act entitled, "An Act to regulate and limit the hours of employment of females in any mechanical establishment or factory or laundry in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation; approved June 15, 1909, in force July 1, 1909"; and to add an additional section thereto to be known as section 5, and to amend the title of said Act .....	328
An Act to prevent accidents in mines and other industrial plants and to conserve the resources of the State by the establishment of Illinois Miners' and Mechanics' Institutes and for the administration and support of the same .....	329
An Act to promote the public health by protecting certain employes in this State from the dangers of occupational diseases, and providing for the enforcement thereof .....	330
An Act to amend sections 1 and 10 of "An Act relating to private employment agencies and to repeal parts of a certain Act relating thereto" .....	335
<b>FEES AND SALARIES:</b>	
An Act to amend section 37 of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874....	337
An Act to amend section 36 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872.....	337
An Act to amend section fourteen of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved March 25, 1907, in force July 1, 1907 .....	339
An Act to amend section eighteen of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved June 14, 1909, in force July 1, 1909..	341
An Act to amend section 44 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State, with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved June 27, 1885, in force July 1, 1885.....	346
An Act fixing the salaries of the State's attorneys and their assistants, defining their duties, providing for the appointment of assistants, and to repeal all Acts in conflict therewith .....	347

FISH AND GAME:	PAGE.
An Act to revise the law in relation to the propagation and protection of fish in all the waters under the jurisdiction of the State of Illinois..	348
An Act to amend sections one (1), sixteen (16), twenty-five (25), twenty-eight (28) and thirty (30) of an Act entitled, "An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto," approved April 28, 1903, in force July 1, 1903, as amended by Act approved May 18, 1905, in force July 1, 1905, as amended by Act approved May 28, 1907, in force July 1, 1907, as amended by Act approved June 15, 1909, in force July 1, 1909.....	360
FUGITIVES:	
An Act to amend section 12 of an Act entitled, "An Act to revise the law in relation to fugitives from justice," approved February 16, 1874, in force July 1, 1874, so as to embrace therein the crime of kidnapping..	364
GENERAL ASSEMBLY:	
An Act to provide for the election and appointment of officers and employees of the General Assembly of the State and fix their compensation and to repeal certain Acts therein named .....	365
GUARDIANS AND WARDS:	
An Act to amend sections 25, 28 and 32 of an Act entitled, "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended by an Act approved May 21, 1877, in force July 1, 1877 .....	368
INSURANCE:	
An Act relating to burial insurance societies .....	370
An Act to regulate and control insurance against loss or damage by fire, lightning, hail, windstorm and sprinkler leakage, by partnerships, associations, individuals, or aggregations of individuals, not now authorized to do business in this State, and prescribing the penalty for violation thereof .....	371
An Act to amend section 1 of an Act entitled, "An Act authorizing and empowering fraternal beneficiary societies now organized and existing, or hereafter organized, under and by virtue of the laws of the State of Illinois, or any such society organized and existing under and by virtue of the laws of any other state, province or territory, and now or hereafter admitted to do business within this State, to create, maintain and operate for the benefit of its sick, disabled or distressed members and their families and dependents, hospitals, asylums and sanatoriums," approved May 10, 1909 .....	374
An Act relating to insurance and permitting stock corporations organized under the laws of the State of Illinois to engage in the business of life, accident and health insurance; to regulate and control such business in this State, and to repeal all laws now existing which conflict with the provisions of this Act .....	375
An Act to amend section 1 of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869, as amended by an Act approved June 15, 1887, in force July 1, 1887, by adding a sub-section to be known as section 1d..	377
MEDICINE AND SURGERY:	
An Act to amend section 11 of an Act entitled, "An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named," approved April 24, 1899, in force July 1, 1899, and to add to said Act one new section to be known as section 2a.....	380
An Act to amend sections 4, 5, 7, 9, 10, 11 and 12 of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named," approved May 11, 1901, in force July 1, 1901, as amended by Act approved June 3, 1907, in force July 1, 1907, and to add thereto a new section to be known as section 15a.....	381
MINES AND MINING:	
An Act to promote the safety of persons and property in coal mines by regulating the character of black blasting powder sold to be used in coal mines .....	385
An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein .....	388
An Act to amend sections 2, 4, 5, 6 and 7 of an Act entitled, "An Act to require fire fighting equipment and other means for the prevention and controlling of fires and the prevention of loss of life from fires in coal mines," approved March 8, 1910, in force March 8, 1910.....	419



<b>MINES AND MINING—Concluded.</b>	<b>PAGE.</b>
An Act to amend sections 2, 5 and 9 of an Act entitled, "An Act to establish and maintain in the coal fields of Illinois, mine fire fighting and rescue stations, and to make an appropriation therefor," approved March 4, 1910, in force July 1, 1910, and by amending the title of said Act .....	424
An Act to amend an Act entitled, "An Act in relation to sinking, filling and operating of oil or gas wells," approved and in force May 16, 1905. ....	426
<b>OFFICERS:</b>	
An Act to amend section one (1) of an Act to require officers having in their custody public funds, to prepare and publish an annual statement of the receipts and disbursements of such funds, approved May 30, 1881, and in force July 1, 1881. ....	428
An Act in relation to the payment of the public money of the State into the State treasury .....	429
<b>OFFICIAL BONDS:</b>	
An Act to provide for the release of sureties on the bond of certain trustees .....	431
<b>OIL INSPECTION:</b>	
An Act to amend sections 1 and 2 of an Act entitled, "An Act to revise the law in relation to oil inspection," approved March 12, 1874, as amended by an Act approved June 17, 1887 .....	432
<b>PARKS:</b>	
An Act authorizing "The Commissioners of Lincoln Park" to issue bonds, and providing for the payment thereof .....	433
An Act to amend section 1 of an Act entitled, "An Act concerning museums in public parks," approved June 17, 1893, in force July 1, 1893, as amended by an Act of the General Assembly approved May 14, 1903, in force July 1, 1903 .....	435
An Act to amend sections 3, 7, 8, 11 and 12 of an Act entitled, "An Act to provide for the creation of pleasure driveway and park districts," approved June 19, 1893, in force July 1, 1893; as amended by an Act approved June 17, 1895, in force July 1, 1895; as amended by an Act approved and in force May 11, 1901 .....	436
An Act to enable park commissioners to enlarge park systems under their control by acquiring additional lands or territory for park purposes, and to pay for the lands or territories thus acquired .....	443
An Act to provide for the setting apart, formation, administration and disbursement of a park police pension fund .....	445
An Act to enable public park commissioners to take, improve, govern, locate and maintain parks and boulevards in contiguous territory and not now under their control and to provide a tax for the payment of the same .....	451
An Act entitled "An Act to establish and maintain parks and parkways in towns and townships" .....	454
<b>PENITENTIARIES:</b>	
An Act to amend sections 3, 5, 23 and 34 of an Act entitled, "An Act in relation to the penitentiary at Joliet, to be entitled, 'An Act to provide for the management of the Illinois State Penitentiary at Joliet,'" approved June 16, 1871, in force July 1, 1871, as amended by Act approved June 7, 1897, in force July 1, 1897. ....	457
<b>PRACTICE:</b>	
An Act to amend section eighty-one of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907 .....	459
An Act to amend section 66 and section 67 of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907 .....	461
An Act to amend section thirteen (13) of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907 .....	462
<b>RAILROADS AND WAREHOUSES:</b>	
An Act to provide for the punishment of any person who drinks any intoxicating liquor, or who is intoxicated, in or upon railroad passenger cars in use for the transportation of passengers, or in or about any railroad station or platform, and for conductors to make arrest therefor. ....	462
An Act defining and regulating express companies and carriers by express operating within the State of Illinois, declaring them to be common carriers and placing them under the jurisdiction and control of the Illinois Railroad and Warehouse Commission .....	464

RAILROADS AND WAREHOUSES—*Concluded.*

PAGE.

An Act to amend section 5 of "An Act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same; for prescribing and defining the duties and limiting the powers of such corporations when so organized; and authorizing the same and all railroad companies of this State to own and hold the stock and securities of railroad companies of other states owning connecting lines, as amended by Act approved June 2, 1891, in force July 1, 1891," by providing for the extension of the term thereof .....	470
An Act to amend sections 2, 4, 5, 6, 7, 8, 10, 11, 11½, 13, 16, 17, 18 and 19 of an Act entitled, "An Act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871, and also by adding to said Act new sections numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 .....	471
An Act giving the authority of the General Assembly of the State of Illinois for the construction of a drawbridge across the Illinois river.....	482
An Act giving the consent of the General Assembly of the State of Illinois for the use and appropriation by the St. Louis, Peoria and Northwestern Railway Company of a railroad right-of-way over certain lands heretofore conveyed to the State of Illinois for the use of the General Hospital for the Insane, a benevolent institution of the State, at South Bartonville .....	483

## REVENUE:

An Act to provide for the necessary revenue for State purposes.....	484
An Act to provide by State tax for a fund for the support and maintenance of the University of Illinois .....	484
An Act to amend section one hundred and fifty-five (155) of an Act entitled, "An Act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872; as amended by Act approved May 3, 1873, in force July 1, 1873.....	485
An Act to amend section 216 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872.....	486

## ROADS AND BRIDGES:

An Act defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named.....	487
An Act to amend section 14 of an Act entitled, "An Act in regard to roads and bridges in counties under township organization, and to repeal an Act and parts of Acts therein named," approved June 23, 1883, in force July 1, 1883, and as amended by Act approved June 14, 1909, in force July 1, 1909 .....	499
An Act to protect turnpike, gravel or macadam roads, and to provide a penalty for its violation .....	499

## SCHOOLS:

An Act to amend section 1 of an Act entitled, "An Act to provide for the election of boards of education in certain districts," approved May 15, 1903, in force July 1, 1903 .....	500
An Act to enable school directors and boards of education to establish and maintain classes and schools for deaf and dumb and blind, and providing for the payment from the State treasury of the excess cost of maintaining and operating such classes and schools over the cost of maintaining and operating elementary schools for normal children..	502
An Act to enable school directors and board[s] of education to establish and maintain classes and schools for delinquent children committed by courts of competent jurisdiction and providing for the payment from the State treasury of the excess cost of maintaining and operating the said classes and schools over the cost of maintaining and operating elementary schools for normal children.....	504
An Act to authorize the organization of high school districts .....	505
An Act to amend section 88 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909 .....	507
An Act to amend sections 85 and 86 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909 .....	508
An Act to amend section 9 of "An Act to aid industrial schools for girls," approved May 28th, 1879, in force July 1, 1879, as amended by an Act approved June 25th, 1885, and in force July 1, 1885.....	509



SCHOOLS— <i>Concluded.</i>	PAGE.
An Act to take territory from the Kickapoo Union School District as organized under an Act entitled, "An Act to establish and form the Kickapoo Union School District," approved March 31, 1869, in force April 1, 1869, by reducing the corporate limits of said district by amending section one of said Act .....	510
An Act to amend section 45 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909 .....	511
An Act to amend an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, by adding thereto two sections to be known respectively as sections 156a and 156b .....	511
An Act to provide for the contribution from public moneys to the public school teachers' pension and retirement fund in cities having a population exceeding 100,000 inhabitants .....	512
An Act to amend an Act entitled, "An Act to establish a system of free schools," approved and in force June 12, 1909, by adding thereto fourteen sections to be known as sections 127a, 127b, 127c, 127d, 127e, 127f, 127g, 127h, 127i, 127j, 127k, 127l, 127m, and 127n .....	513
An Act to amend section 121 of "An Act to establish and maintain a system of free schools," approved June 12, 1909 .....	516
An Act to amend section 12 of an Act entitled, "An Act to establish and create at the University of Illinois, a bureau to be known as the State Geological Survey, defining its duties and providing for the preparation and publication of its reports and maps to illustrate the natural resources of the State, and making appropriation therefor," approved May 12, 1905, in force July 1, 1905 .....	517
STATE BOARD OF HEALTH:	
An Act to amend sections eight (8) and ten (10) of an Act entitled, "An Act requiring reports of births and deaths, and the recording of the same and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named," approved May 6, 1903, in force July 1, 1903 .....	518
STATE FOOD COMMISSIONER:	
An Act to amend sections 1, 3, 4, 9, 10, 11, 12, 20, 21 and 40 of an Act entitled, "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, and in force July 1, 1907, and to add thereto two new sections to be known as sections 20a and 39a .....	519
An Act to amend sections 1 and 2 of an Act entitled, "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, in force July 1, 1905 .....	527
An Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food, under insanitary, unhealthful, or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof .....	528
STATE HISTORICAL LIBRARY AND NATURAL HISTORY MUSEUM:	
An Act to amend "An Act to establish the Illinois Historical Library and to provide for its care and maintenance and to make an appropriation therefor," approved May 25, 1889, in force July 1, 1889 .....	532
An Act to amend section 4 of an Act entitled, "An Act to establish a State Historical Library and Natural History Museum, to provide for its care and maintenance and to appropriate money therefor," approved May 25, 1877, in force July 1, 1877 .....	533
STATE LANDS:	
An Act providing for the sale and conveyance of all the right, title and interest of the State of Illinois in and to the building and lands now owned by the State of Illinois, and used for an armory by the Second Regiment, Illinois National Guard .....	533
An Act granting certain lands in the city of Evanston, and the title of certain submerged lands adjoining said city, to the city of Evanston for park and boulevard purposes .....	534
An Act conveying certain lands to Wilmette Park District for the purpose of establishing a public park or pleasure ground thereon .....	535

STATE MILITIA:	PAGE.
An Act to amend section 6, article III of an Act entitled, "An Act to establish a military and naval code for the State of Illinois," and to repeal all Acts in conflict herewith, approved June 10, 1909, in force July 1, 1909 .....	536
SURVEYORS AND SURVEYS:	
An Act to amend section 2 of an Act entitled, "An Act to provide for the permanent survey of lands," approved May 10, 1901, in force July 1, 1901 .....	537
TOWNSHIP ORGANIZATION:	
An Act to amend section 20 of an Act entitled, "An Act to revise the law in relation to township organization," approved March 4, 1874, and in force March 4, 1874 .....	538
WILLS:	
An Act to amend section eight (8) of an Act entitled, "An Act in regard to wills," approved March 20, 1872, in force July 1, 1872.....	538
JOINT RESOLUTIONS:	
Adjournment—January 11 to January 17 .....	541
January 18 to January 24 .....	541
January 25 to January 31.....	541
February 2 to February 9 .....	541
February 15 to February 21 .....	542
February 15 to February 23 .....	542
February 24 to March 1 .....	542
March 16 to March 21 .....	542
March 23 to March 28 .....	543
April 7 to April 11 .....	544
April 13 to April 19 .....	544
Recess and <i>sine die</i> .....	544
<i>Sine die</i> extended .....	544
Furniture for House and Senate Chambers—removal prohibited.....	545
Investigations—county and township, roads, highways, and bridges laws .....	545
Drainage laws .....	546
Insurance laws .....	546
"Lincoln Way" .....	547
Public utilities .....	547
Submerged and Shore Land Committee Records, etc.....	548
Joint Rules .....	549
Joint Session—canvass of election returns.....	551
In honor of the President—invitation and committee.....	551
Invitation extended to Justices of the Supreme Court.....	552
Invitation extended to State officers.....	552
Memorial Services—Justice Melville W. Fuller .....	552
Representative Frank C. Burke .....	553
Memorial to Congress—monopolies .....	553
Pension bill .....	553
Treaty with Russia .....	554
CERTIFICATE OF SECRETARY OF STATE.....	555
INDEX OF LAWS AND RESOLUTIONS.....	557



# LAWS OF ILLINOIS.

## ADMINISTRATION OF ESTATES.

### PRESUMPTION OF DEATH—BOND OF DISTRIBUTEES.

§ 1. Amends section 20 and 21 and adds sections 20a and 78, Act of 1872.

§ 20. As amended, includes affidavit of presumption of death.

§ 20a. Letters sought on presumption of death—notice of application and hearing.

§ 21. As amended, includes form of letters of administration issued upon presumption of death and intestacy.

§ 78. Distribution—bond of distributee.

(HOUSE BILL NO. 190. APPROVED JUNE 7, 1911.)

AN ACT to amend sections 20 and 21 of an Act entitled, "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended, and to add to said Act two new sections, one to be known as section twenty A (20A) and the other as section seventy-eight.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 20 and 21 of an Act entitled, "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended, be amended, and that two new sections, to be known as section twenty A (20A) and the other as section seventy-eight, said section seventy-eight being in lieu of section 78 thereof and heretofore repealed, so that said sections 20 and 21 as now amended and sections 20A and 78 as added shall read as follows:

§ 20. Before letters of administration shall hereafter be issued, the person applying for the same, or some other credible person, shall make and file an affidavit with the proper clerk, setting forth as near as may be, the date of death of the deceased, or facts and circumstances raising the legal presumption of such death intestate, the probable amount or value of the personal estate, and the names of the heirs and widow, or surviving husband, if known.

§ 20A. When letters are sought on the presumption of death, the court shall set the application for hearing and the clerk shall cause to be published, in a newspaper as defined by law, for at least four successive weeks, a notice of such application and of the time and place of the hearing thereof. The first publication of such notice shall be at least thirty

days prior to the date fixed for the hearing and a copy of the notice shall, within ten days after the first publication of the same, be mailed by the clerk, addressed to the person by the application or affidavit. At the hearing, the allegations shall be established by competent proof, and any person interested or any person in possession or control of the property sought to be administered, or any part thereof, may appear and resist the application.

§ 21. The form of letters of administration hereafter to be issued in this State shall, as near as may be, be as follows, to-wit:

State of Illinois, }  
County of.....} ss.

*The People of the State of Illinois, to all to whom these presents shall come—*

GREETING.

Know ye, that whereas, A B, of the county of ....., and State of Illinois, died intestate, as it is said (or "as it is presumed," when the letters are issued upon the presumption), on or about the .....day of....., A. D. 19..., having at the time of his decease, personal property in this State which may be lost, destroyed or diminished in value, if speedy care be not taken of the same; to the end, therefore, that said property may be collected and preserved for those who shall appear to have a legal right or interest therein, we do hereby appoint C D, of the county of ....., and State of Illinois, administrator of all and singular the goods and chattels, rights and credits, which were of the said A B at the time of his decease, with full power and authority to secure and collect the said property and debts wheresoever the same may be found in this State, and in general, to do and perform all other acts which now are or hereafter may be required of him by law.

Witness: E F, clerk of the county court in and for the said county of....., and the seal of said court, this.....day of ..... , A. D. 19....

(L. S.)

E F, Clerk.

And in all cases where letters of administration with the will annexed, letters of administration, *de bonis non*, or letters of administration to any public administrator are issued, the same shall be in conformity with the foregoing form, as nearly as may be, taking care to make the necessary variations, additions or omissions to suit each particular case.

§ 78. The costs, expenses, award and just claims against the estate of a person presumed in law to be dead shall be adjusted, allowed and paid in due course as in other estates, but before distribution to heirs of such person, under the presumption of death and intestacy, each distributee, or some one for and on behalf of such distributee, shall enter into bond payable to the People of the State of Illinois, in a penalty double the value of the distributive share of such distributee, with security thereon to the acceptance and approval of the court, conditioned to refund and pay, on demand, to such presumed decedent, if alive.



or to any other person lawfully entitled, all money and other property or assets received by such distributee as heir as aforesaid, and to save harmless the administrator of the estate against all claims or demands of the presumed decedent or of persons claiming through or under him. The bond hereinabove mentioned shall be filed with the clerk and, if approved by the court, shall be recorded and preserved by the clerk as other bonds.

APPROVED June 7, 1911.

## AGRICULTURE AND HORTICULTURE.

### APPROPRIATIONS TO COUNTY FAIRS AND SOCIETIES—DISTRIBUTION.

§ 1. Amends section 7, Act of 1883.

§ 7. As amended, changes basis of distribution of appropriations.

(SENATE BILL NO. 393. APPROVED MAY 29, 1911.)

AN ACT to amend section seven (7) of an Act entitled, "An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same," approved June 23, 1883, in force July 1, 1883, as amended by Act approved April 26, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven of an Act entitled, "An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs and to provide for reports of the same," approved June 23, 1883, and in force July 1, 1883, as amended by Act approved April 26, 1907, in force July 1, 1907, be and the same is hereby amended so as to read as follows:

§ 7. Whatever money shall be appropriated to the Department of Agriculture shall be paid to the State Board of Agriculture and may be expended by them as in the opinion of said board will best advance the interests of agriculture, horticulture, manufactures and domestic arts in this State.

All appropriations which shall be made for the benefit of county fairs or other agricultural societies shall be divided between such county fairs or agricultural societies as shall have given satisfactory evidence to said State board of having held an annual fair and made their annual report on or before the fifteenth day of November of each year to the State Board of Agriculture.

Said appropriations shall be divided between such county fairs or agricultural societies which shall have complied with the conditions herein prescribed, as follows: To each of said county fairs or agricultural societies upon the following basis: *First*, sixty per cent of the first one thousand [dollars] (\$1,000.00); *second*, fifty per cent on the second one thousand dollars (\$1,000.00); *third*, forty per cent on the next two thousand dollars (\$2,000.00); and *fourth*, thirty per cent on the succeeding two thousand dollars (\$2,000.00) thereafter of the total amount of pre-

miums paid at its annual fair for the current year, for exhibits of horticulture, agriculture, poultry, live stock and domestic and mechanical arts: *Provided*, that if the amount appropriated by the General Assembly for the payment of the respective premiums shall be insufficient to pay the several amounts in full, then the sum shall be prorated amongst all the fairs entitled thereto.

On or before the fifteenth of November of each year the president and secretary of each county fair or agricultural society claiming the benefit of any such appropriation shall file with the secretary of the State Board of Agriculture a sworn statement of the actual amount of cash premiums paid at the fair of the current season, which must correspond with the published offer of premiums and a further sworn statement that at such fair all gambling and gambling devices of whatsoever kind and the sale of intoxicating liquors have been prohibited and excluded from grounds of such county fair or agricultural society and all adjacent grounds under their authority or control. Such statement shall be accompanied by an itemized list of all premiums paid upon the basis of the premiums herein provided and a copy of the published premium list of such fair and a full statement of receipts and expenditures for the current year duly verified by the secretary of such fair or agricultural society. Such money shall be paid to the treasurer of the county fair or agricultural society upon his receipt countersigned by the secretary: *Provided*, that the amounts to be paid to any such county fair or agricultural society during any one year shall not exceed the sum of twenty-five hundred dollars (\$2,500.00) each.

APPROVED May 29, 1911.

#### STATE INSPECTOR OF APIARIES.

Preamble.

§ 1. State inspector of apiaries—appointment—term—assistants—per diem.

§ 2. Foul brood, etc.—what declared nuisances—inspection—notice to owner or occupant—treatment—abatement of nuisance—appeal.

§ 3. Annual report.

§ 4. Penalties.

(HOUSE BILL NO. 670. APPROVED JUNE 7, 1911.)

*AN ACT to prevent the introduction and spread in Illinois of foul brood among bees, providing for the appointment of a State Inspector of Apiaries and prescribing his powers and duties.*

WHEREAS, The disease known as foul brood exists to a very considerable extent in various portions of this State, which, if left to itself, will soon exterminate the honey-bees; and,

WHEREAS, The work done by an individual bee-keeper or by a State inspector is useless so long as the official is not given authority to inspect and, if need be, to destroy the disease when found; and,

WHEREAS, There is a great loss to the bee-keepers and fruit growers of the State each year by the devastating ravages of foul brood.



SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor shall appoint a State Inspector of Apiaries, who shall hold his office for the term of two years, and until his successor is appointed and qualified, and who may appoint one or more assistants, as needed, to carry on the inspection under his supervision. The inspector of apiaries shall receive for each day actually and necessarily spent in the performance of his duties the sum of four dollars to be paid upon bills of particulars certified to as correct by the said State Inspector of Apiaries, and approved by the Governor.

§ 2. It shall be the duty of every person maintaining or keeping any colony or colonies of bees to keep the same free from the disease known as foul brood and from every contagious and infectious disease among bees. All bee-hives, bee-fixtures or appurtenances where foul brood or other contagious or infectious diseases among bees exists, are hereby declared to be nuisances to be abated as hereinafter prescribed. If the inspector of apiaries shall have reason to believe that any apiary is infected by foul brood or other contagious disease, he shall have power to inspect, or cause to be inspected, from time to time, such apiary, and for the purpose of such inspection he, or his assistants, are authorized during reasonable business hours to enter into or upon any farm or premises, or other building or place used for the purpose of propagating or nurturing bees. If said inspector of apiaries, or his assistants, shall find by inspection that any person, firm or corporation is maintaining a nuisance as described in this section, he shall notify in writing the owner or occupant of the premises containing the nuisance so disclosed of the fact that such nuisance exists. He shall include in such notice a statement of the conditions constituting such nuisance, and order that the same be abated within a specified time and a direction, written or printed, pointing out the methods which shall be taken to abate the same. Such notice and order may be served personally or by depositing the same in the postoffice properly stamped, addressed to the owner or occupant of the land or premises upon which such nuisance exists, and the direction for treatment may consist of a printed circular, bulletin or report of the inspector of apiaries, or an extract from same.

If the person so notified shall refuse or fail to abate said nuisance in the manner and in the time prescribed in said notice, the inspector of apiaries may cause such nuisance to be abated, and he shall certify to the owner or person in charge of the premises the cost of the abatement and if not paid to him within sixty days thereafter the same may be recovered, together with the costs of action, before any court in the State having competent jurisdiction.

In case notice and order served as aforesaid shall direct that any bees, hives, bee-fixtures or appurtenances shall be destroyed and the owner of such bees, hives, bee fixtures or appurtenances shall consider himself aggrieved by said order, he shall have the privilege of appealing within three days of the receipt of the notice to the county court of the county in which such property is situated. The appeal shall be made in like manner as appeals are taken to the county court from judgments of

justices of the peace. Written notice of said appeal served by mail upon the inspector of apiaries shall operate to stay all proceedings until the decision of the county court, which may, after investigating the matter, reverse, modify or affirm the order of the inspector of apiaries. Such decision shall then become the order of the inspector of apiaries, who shall serve the same as hereinbefore set forth and shall fix a time within which such decision must be carried out.

§ 3. The inspector of apiaries shall, on or before the second Monday in December of each calendar year, make a report to the Governor and also to the Illinois State Bee Keepers' Association, stating the number of apiaries visited, the number of those diseased and treated, the number of colonies of bees destroyed and the expense incurred in the performance of his duties.

§ 4. Any owner of a diseased apiary or appliances taken therefrom, who shall sell, barter or give away any such apiary, appliance, queens or bees from such apiary, expose other bees to the danger of contracting such disease, or refuse to allow the inspector of apiaries to inspect such apiary, or appliances, shall be fined not less than \$50.00 nor more than \$100.00.

APPROVED June 7, 1911.

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## ANIMALS.

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### DAIRY ANIMALS—TUBERCULIN TEST.

§ 1. What unlawful and void relative to tuberculin test for dairy animals.

(HOUSE BILL NO. 55. FILED JUNE 12, 1911.)

*AN ACT to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any city, village, incorporated town, county or other corporate authority in the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any city, village, incorporated town, county or other corporate authority in the State of Illinois by ordinance, rule or regulation other than may be established by the law of this State, to demand, fix, establish or require the tuberculin test to be applied to dairy animals as a means or measure of regulating and purifying milk, skimmed milk, cream and dairy products of said animals in any manner whatever, and every such ordinance, rule, by-law or regulation heretofore or hereafter passed, demanded, fixed, established or required by any such city, village, incorporated town, county or other corporate authority other than the State of Illinois, is hereby declared to be void and of no effect.

FILED June 12, 1911.

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The Governor having failed to return this bill to the General Assembly during its session, and having failed to file it in my office, with his objections, within ten days after the adjournment of the General Assembly it has thereby become a law.

Witness my hand this 12th day of June, A. D. 1911.

JAMES A. ROSE,  
Secretary of State.



## STALLIONS—REGISTRATION ACT OF 1909 AMENDED.

§ 1. Amends section 7, Act of 1909.

§ 7. Amendment relates to registrations in certain stud books.

§ 2. Emergency.

(SENATE BILL NO. 394. APPROVED JUNE 5, 1911.)

AN ACT to amend section seven (7) of an Act entitled, "An Act to regulate the public service of stallions in Illinois," approved June 10, 1909, in force January 1, 1910.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7) of an Act entitled, "An Act to regulate the public service of stallions in Illinois," approved June 10, 1909, in force January 1, 1910, be and is hereby amended to read as follows:

§ 7. The license certificate issued for a stallion whose sire and dam are of pure breeding and the pedigree of which is registered in a stud book recognized by the United States Department of Agriculture, Washington, D. C., in an Act entitled, "An Act to provide revenue, equalize duties, and encourage the industries of the United States and for other purposes," approved August 5, 1909, or the pedigree of which is registered in the stud book of one of the following names [named] associations, societies, clubs or corporations: American Trotting Register Association, American Association of Importers and Breeders of Belgian Draft Horses, Cleveland Bay Society of America, American Clydesdale Association, French Coach Horse Society of America, National French Draft Horse Association of America, German, Hanoverian & Oldenburg Coach Horse Association of America, American Hackney Horse Society, American Morgan Register Association, Percheron Society of America, The American Breeders' and Importers' Percheron Registry Company, American Saddle Horse Breeders' Association, American Shetland Pony Club, Welch Pony and Cob Society of America, American Shire Horse Association, American Suffolk Horse Association, The Jockey Club, Arabian Horse Club of America, shall be in the following form:

## ILLINOIS STALLION REGISTRATION BOARD.

Certificate of the Pure-Bred Stallion No.....

The pedigree of the stallion (name).....

Owned by .....

Bred by .....

Described as follows:

Color ..... Breed .....

Foaled in the year ....., has been duly examined, and it is hereby certified that the said stallion is registered as number ..... in the stud book of ..... The above named stallion has been examined by .....

veterinarian, and is reported as free from infectious, contagious, or transmissible disease or unsoundness, and is licensed to stand for public service in the State of Illinois.

This license expires on....., 19....

(Signed) .....

Secretary Illinois State Board of Agriculture  
and Stallion Registration Board.

Date .....19....

The license certificate issued for a grade stallion, whose sire or dam is not pure-bred, shall be in the following form:

### ILLINOIS STALLION REGISTRATION BOARD.

#### Certificate of Grade Stallion No. ....

The pedigree of the stallion (name) .....

Owned by .....

Bred by .....

Described as follows:

Color .....

Foaled in the year ....., has been duly examined, and it is hereby certified that the said stallion is not of pure breeding and is, therefore, not eligible for registration in any stud book recognized by the Illinois Stallion Registration Law. The above named stallion has been examined by ....., veterinarian, and is reported as free from infectious, contagious, or transmissible disease or unsoundness, and is licensed to stand for public service in the State of Illinois.

This license expires on....., 19....

(Signed) .....

Secretary Illinois State Board of Agriculture  
and Stallion Registration Board.

Date.....19....

The license certificate issued for a stallion whose sire and dam are pure-bred, but not of the same breed, shall be in the following form:

### ILLINOIS STALLION REGISTRATION BOARD.

#### Certificate of Cross-Bred Stallion No. ....

The pedigree of the stallion (name) .....

Owned by .....

Bred by .....

Described as follows:

Color .....

Foaled in the year....., has been duly examined and it is found that his sire is registered in the stud book of..... as number ....., and his dam in the stud book of..... as number..... Such being the case, said stallion is not eligible for registration in any stud book recognized by the Illinois Stallion

registration law. The above named stallion has been examined by  
 ....., veterinarian, and is reported as free  
 from infectious, contagious, or transmissible disease or unsoundness, and  
 is licensed to stand for public service in the State of Illinois.

This license expires on ....., 19....

(Signed) .....

Secretary Illinois State Board of Agriculture  
 and Stallion Registration Board.

Date ..... 19....

§ 2. WHEREAS, An emergency exists, therefore, this Act shall be in  
 full force and effect from and after its passage and approval.

APPROVED June 5, 1911.

## APPROPRIATIONS.

### AGRICULTURE—COUNTY FAIRS AND SOCIETIES.

§ 1. Appropriates \$60,000 per annum— | § 2. How drawn.  
 proviso.

(SENATE BILL NO. 392. APPROVED MAY 29, 1911.)

AN ACT *making appropriation for county fairs or other agricultural societies of the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of sixty thousand dollars (\$60,000.00) per annum, or so much thereof as may be annually necessary, be, and the same is, hereby appropriated to county fairs or other agricultural societies of the State of Illinois, said appropriation to be divided between such county fairs or agricultural societies which have complied with the conditions prescribed by section 7 of an Act entitled "An Act to revise the law in relation to the department of agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same," approved June 23, 1883, in force July 1, 1883, as amended by Act approved April 26, 1907, in force July 1, 1907: *Provided*, that the amounts to be paid to any county fair or agricultural society during any one year shall not exceed the sum of twenty-five hundred dollars (\$2,500.00) each.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the moneys herein appropriated in favor of the several county fairs or agricultural societies of this State, who shall have complied with the provisions of section 7 of the Act referred to herein, and the certificate of the State Board of Agriculture, signed by its president and attested by its secretary, shall be required by the Auditor of Public Accounts as proof of such compliance.

APPROVED May 29, 1911.



## AGRICULTURE—FARMERS' INSTITUTES.

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|---|---|
| § 1. Appropriates \$4,000 per annum for clerk hire, postage, incidental expenses, etc.<br>§ 2. For superintendent and stenographers, \$5,000 per annum.<br>§ 3. For expert judges, instructors and speakers, \$6,000 per annum. | § 4. For expenses of members, officers, meetings, etc., \$5,000 per annum.<br>§ 5. For county farmers' institutes, \$75 each per annum.<br>§ 6. Annual report.<br>§ 7. Officers of county institutes to serve without pay.<br>§ 8. How drawn. |
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(SENATE BILL NO. 166. APPROVED MAY 25, 1911.)

## AN ACT making an appropriation for the Illinois Farmers' Institute and county farmers' institutes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Illinois Farmers' Institute the following sums, to-wit: For clerk hire, janitor service, postage, expressage, office library, furniture, incidental office expenses, etc., four thousand dollars (\$4,000) per annum for the fiscal years beginning July 1, 1911 and 1912. The Secretary of State shall provide all needful books, papers, stationery and printing on requisition by the secretary of the Illinois Farmers' Institute.

§ 2. For the salary of superintendent of institutes, three thousand dollars (\$3,000) per annum; for two stenographers, one thousand dollars (\$1,000) each per annum, \$2,000 per annum for the fiscal years beginning July 1, 1911 and 1912.

§ 3. For the per diem and necessary expenses of expert judges, instructors and speakers furnished by the board of directors for county farmers' institutes, farmers' short courses in agriculture, farmers' study clubs, etc., six thousand dollars (\$6,000) per annum for the fiscal years beginning July 1, 1911 and 1912.

§ 4. For the actual expenses of the members of the board of directors and officers of the Illinois Farmers' Institute, in the performance of their duties as such members and officers, for the expenses of the district conferences, the expenses of the State institute meetings, and for the incidental expenses in promoting the development of the farmers' institute work throughout the State, five thousand dollars (\$5,000) per annum for the years beginning July 1, 1911 and 1912.

§ 5. For the purpose of holding one or more farmers' institute meetings in each county in the State the sum of seventy-five dollars (\$75.00) per annum for the fiscal years beginning July 1, 1911 and 1912, said sum to be paid to the treasurer of each county farmers' institute when such institute shall file with the Secretary of the Illinois Farmers' Institute a sworn statement which shall show that said county farmers' institute has held one or more duly advertised public sessions annually, in accordance with such rules as may be prescribed by the board of directors of the Illinois Farmers' Institute: *Provided*, that if the necessary expenses of a county farmers' institute shall not equal the sum of seventy-five dollars (\$75.00) as aforesaid, the said warrant shall only be drawn for the sum expended.

§ 6. That on the order of the president, approved by the directors of the congressional district, the secretary of the Illinois Farmers' Institute shall draw his warrant on the treasurer of the Illinois Farmers' Institute for the sum herein appropriated, seventy-five dollars (\$75.00) or so much thereof as may be received for its use and benefit, as aforesaid, and it shall be the duty of the treasurer of the Illinois Farmers' Institute to pay over to the treasurer of the said county farmers' institute the said sum, and make annual report to the Governor, as provided by law.

§ 7. No officer or officers of a county farmers' institute shall be entitled, as such officer or officers, to receive any moneyed compensation for any service, rendered the same.

§ 8. The State Auditor is hereby authorized and instructed to draw his warrant for the sums herein specified and deliver the same to the treasurer of the Illinois Farmers' Institute upon his presenting voucher for same, signed by the president and secretary of said Illinois Farmers' Institute, and the State Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED May 25, 1911.

#### AGRICULTURE—PROTECTION OF FARM CROPS.

Preamble.

§ 2. How drawn—emergency.

§ 1. Appropriates \$8,000 to State Entomologist.

(SENATE BILL NO. 148. APPROVED MAY 6, 1911.)

AN ACT *to make an appropriation to the State Entomologist for the protection of farm crops against injurious insects.*

WHEREAS, The agriculture of the State is in imminent danger of very great loss, due to the reappearance in extraordinary numbers of one of its most destructive insect pests and to the rapid multiplication of the same; and,

WHEREAS, The State Entomologist has matured and successfully tested measures for the destruction of this insect, which should be made fully available at the earliest opportunity to all whose crops are endangered by it; and,

WHEREAS, The State Entomologist is required by law, to instruct the people of the State, by lecture and demonstration, in the best methods of preserving and protecting their property against injury by insects.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eight thousand dollars (\$8,000.00) or so much thereof as may be necessary, is hereby appropriated to the State Entomologist for the demonstration of methods for the destruction of chinch-bugs in this State, and for such measures of instruction and supervision as may, in his judgment, be necessary to enable the farmers of the State to protect their crops most efficiently and at the least expense against insect injury.

§ 2. The Auditor of Public Accounts is hereby authorized to draw warrants on the State Treasurer for the sum herein appropriated, on itemized bills certified by the State Entomologist and approved by the Governor.

WHEREAS, An emergency exists, therefore this Act shall be in force and effect from and after its passage and approval.

APPROVED May 6, 1911.

#### AGRICULTURE—STATE BOARD.

§ 1. Appropriates \$26,000 per annum | § 2. How drawn.  
for items enumerated.

(HOUSE BILL NO. 244. APPROVED JUNE 2, 1911.)

AN ACT *making an appropriation for the State Board of Agriculture and county and other agricultural fairs.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby appropriated to the State Board of Agriculture the following sums, to-wit:

For the encouragement of an exhibit at the State Fair, the sum of five thousand dollars (\$5,000) per annum for the years 1911 and 1912.

For the salary of the secretary, the sum of two thousand dollars (\$2,000) per annum for the years 1911 and 1912.

For traveling expenses of the members and officers of the Board, the sum of two thousand dollars (\$2,000) per annum for the years 1911 and 1912.

For clerk hire, the sum of thirty-six hundred dollars (\$3,600) per annum for the years 1911 and 1912.

For receiving and shipping clerk, the sum of one thousand dollars (\$1,000) per annum for the years 1911 and 1912.

For janitor, the sum of six hundred dollars (\$600) per annum for the years 1911 and 1912.

For the expenses of collecting, compiling and publishing live stock and agricultural statistics, the sum of six hundred dollars (\$600) per annum for the years 1911 and 1912.

For office expenses, furniture, repairs, postage, expressage, etc., the sum of twelve hundred dollars (\$1,200) per annum for the years 1911 and 1912.

For the maintenance, repairs and care of the Illinois State Fair grounds and buildings thereon, the sum of ten thousand dollars (\$10,000) per annum for the years 1911 and 1912.

§ 2. That on the order of the president, countersigned by the secretary of the State Board of Agriculture, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the State Treasurer in favor of the treasurer of the State Board of Agriculture for the sums herein appropriated.

APPROVED June 2, 1911.



AGRICULTURE—STATE FAIR BUILDINGS.

§ 1. Appropriates \$215,000 for build- | § 2. How drawn.  
ings.

(HOUSE BILL NO. 243. APPROVED JUNE 9, 1911.)

AN ACT making appropriation for the State Board of Agriculture, to be used in the construction of permanent improvements on the State fair grounds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two hundred and fifteen thousand dollars (\$215,000), or so much thereof as may be necessary, out of the treasury not otherwise appropriated, be and the same is hereby appropriated to the State Board of Agriculture for the construction of permanent buildings and permanent improvements for the State fair, viz:

For Swine and sheep pavilions, one hundred and twenty-five thousand dollars (\$125,000).

For horse barns, seventy-five thousand dollars (\$75,000).

For toilet rooms, fifteen thousand dollars (\$15,000).

§ 2. That, on the order of the president, countersigned by the secretary of the State Board of Agriculture, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the State Treasurer in favor of the treasurer of the Illinois State Board of Agriculture for the sums herein appropriated: *Provided*, that all of said money shall be paid in installments from time to time, as the same shall be needed to pay for the improvements authorized by this Act, and on vouchers to be approved by the Governor.

APPROVED June 9, 1911.

AUDITOR OF PUBLIC ACCOUNTS—PROVISIONAL.

§ 1. Appropriates \$1,200 for clerical | § 2. Emergency.  
services until July 1, 1911.

(HOUSE BILL NO. 558. APPROVED JUNE 6, 1911.)

AN ACT making an appropriation to pay for additional clerical services in the office of the Auditor of Public Accounts until July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is, hereby appropriated to the Auditor of Public Accounts the sum of \$900.00 to pay for the services of two additional assistant warrant clerks to July 1, 1911, and the sum of \$300.00 to pay for the services of one additional stenographer until July 1, 1911.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect on and after its passage.

APPROVED June 6, 1911.

## AWARDS BY COURT OF CLAIMS.

§ 1. Appropriates \$6,506.49 to persons named. | § 2. How drawn.

(HOUSE BILL NO. 128. APPROVED JUNE 2, 1911.)

AN ACT making an appropriation for the payment of the amounts awarded by the Court of Claims to certain persons named therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby appropriated the sum of six thousand, five hundred six and 49-100 dollars (\$6,506.49) to pay awards made by the Court of Claims during the sessions of 1909 and 1910 to the following named persons:

To Louis Robert Mundelius, five thousand five hundred dollars (\$5,500) damages for injuries received at Camp Lincoln while in the discharge of his duties as a member of the Illinois National Guard.

To Lawrence Blickman, two hundred and thirty-five dollars (\$235) damages for injury received while in discharge of his duties as a member of the Illinois Naval Reserves.

To James McMillan, two hundred and twenty-five dollars (\$225), damages on contract for boiler, etc., at the State power plant.

To Jennie Sanford Griffith, four hundred ninety-seven and 09-100 dollars (\$497.09), for inheritance tax paid (under protest) in excess of amount required by law.

To John Faules, sixteen and 28-100 dollars (\$16.28), for services at Camp Tanner prior to being mustered into the United States service during the Spanish-American war.

To W. H. Goff, fifteen and 36-100 dollars (\$15.36) for services at Camp Tanner prior to being mustered into the United States service during the Spanish-American war.

To W. C. Carlock, seventeen and 76-100 dollars (\$17.76), for services at Camp Tanner prior to being mustered into the United States service during the Spanish-American war.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer in favor of said persons respectively for the amounts herein appropriated, payable out of any money in the treasury not otherwise appropriated.

APPROVED June 2, 1911.

## BALANCES IN CERTAIN FUNDS—TRANSFER TO GENERAL REVENUE FUND.

§ 1. Authorizes transfer of balances in certain State funds to general revenue fund.

(HOUSE BILL NO. 676. APPROVED JUNE 10, 1911.)

AN ACT to transfer the balances remaining in the State treasury on July 1, 1911, to the credit of the State Game Protection Fund, the State Fish Protection Fund, the State Food Commissioners' Fund and the Board of Administration Fund to the General Revenue Fund and to provide that all receipts on account of said departments be paid in to the State treasury to the credit of the general revenue fund.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any and all balances in the State treasury on July 1, 1911, to the credit of the State Game Protection Fund, the State Fish Protection Fund, the State Food Commissioners' Fund, and the Board of Administration Fund be transferred on the warrant of the Auditor of Public Accounts to the General Revenue Fund and thereafter all receipts from whatsoever source received on account of said departments, respectively, shall be covered into the State treasury to the credit of the General Revenue Fund.

APPROVED June 10, 1911.

## BEE-KEEPERS' ASSOCIATION.

Preamble.

§ 1. Appropriates \$1,000 per annum—  
proviso.

§ 2. How drawn.

§ 3. Annual report.

(HOUSE BILL NO. 99. APPROVED JUNE 5, 1911.)

AN ACT making an appropriation for the Illinois State Bee-Keepers' Association.

WHEREAS, The members of the Illinois State Bee-Keepers' Association have for years given much time and labor without compensation in the endeavor to promote the interests of the bee-keepers of the State; and

WHEREAS, The importance of the industry to the farmers and fruit growers of the State warrants the expenditure of a reasonable sum for the holding of annual meetings, the publication of reports and papers containing practical information concerning bee-keeping; therefore, to sustain the same and enable this organization to defray the expenses of annual meetings, publishing reports, suppressing foul breed among bees in the State, and promote the industry in Illinois:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the use of the Illinois State Bee-Keepers' Association the sum of one thousand dollars (\$1,000.00) per annum for the years 1911 and 1912. For the purpose of advancing the growth and developing the interests of the bee-keepers of Illinois, said sum to be expended under the direction of the Illinois State Bee-Keepers' Association for the purpose of paying the expenses of holding annual meetings, publishing the proceedings of said meetings, suppressing foul breed among bees in Illi-



nois, etc.: *Provided, however,* that no officer or officers of the Illinois State Bee-Keepers' Association shall be entitled to receive any money compensation whatever for any services rendered for the same, out of this fund.

§ 2. That on the order of the president, countersigned by the secretary of the Illinois State Bee-Keepers' Association, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois State Bee-Keepers' Association for the sum herein appropriated.

§ 3. It shall be the duty of the treasurer of the Illinois State Bee-Keepers' Association to pay out of said appropriation, on itemized and receipted vouchers, such sums as may be authorized by vote of said organization on the order of the president, countersigned by the secretary, and make annual report to the Governor, of all such expenditures, as provided by law.

APPROVED June 5, 1911.

#### CANAL COMMISSIONERS—BRIDGES.

§ 1. Appropriates \$12,500.

§ 2. How repaired.

§ 3. How drawn.

(SENATE BILL NO. 316. APPROVED MAY 27, 1911.)

AN ACT *making an appropriation for the repair and reconstruction of bridges over and along the Illinois and Michigan Canal.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated the sum of twelve thousand five hundred dollars (\$12,500.00) out of the funds in the State treasury, not otherwise appropriated, to be used for the purpose of repair and reconstruction of bridges over and along the Illinois and Michigan Canal.

§ 2. Such repair and reconstruction shall be made by and under the direction of the canal commissioners, out of the appropriation hereby made and the money herein appropriated shall be used for no other purpose than is herein specified.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer in favor of the treasurer of the canal commissioners, for the money hereinbefore appropriated, upon the written order of the canal commissioners.

APPROVED May 27, 1911.

## CANAL COMMISSIONERS—REPAIRS TO LOCKS, ETC.

§ 1. Appropriates \$35,000.

§ 3. How drawn.

§ 2. Appropriates \$10,000.

(SENATE BILL NO. 317. APPROVED MAY 27, 1911.)

AN ACT making an appropriation for repairs to the locks, dykes and dams in and along the Illinois river, at Henry and Copperas Creek; and for the maintenance of navigation in and along such portions of the Illinois river as are under the jurisdiction of the canal commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of making repairs to the locks, dykes and dams in and along the Illinois river, at Henry and Copperas creek; and for the maintenance of navigation in and along such portions of the Illinois river as are under the jurisdiction of the canal commissioners, there is hereby appropriated the sum of thirty-five thousand dollars.

§ 2. That for the purpose of restoring that portion of the Illinois river, near the city of La Salle, known as the "Steamboat Channel" and "Basin," to navigable condition, there is hereby appropriated the sum of ten thousand dollars (\$10,000.00).

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer in favor of the treasurer of the canal commissioners, for the amounts herein appropriated, upon the written order of the canal commissioners.

APPROVED May 27, 1911.

## CHARITABLE—ADULT BLIND, VISITATION AND INSTRUCTION.

§ 1. Appropriates \$10,000 to Board of Administration.

(SENATE BILL NO. 74. APPROVED JUNE 7, 1911.)

AN ACT making an appropriation for the visitation and instruction of the adult blind and providing for the expenditure thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of ten thousand dollars be and is hereby appropriated to the Board of Administration for the purposes hereinafter named out of any moneys not otherwise appropriated, the same to be drawn in like manner as other money appropriated to the Board of Administration. The Board of Administration shall be charged with the visitation of the adult blind in their homes for the purpose of instructing them in industrial pursuits and of developing such occupations as will tend to ameliorate their condition and make them self-supporting. And it shall be the duty of the board to employ such teachers and assistants as are necessary for the service of so instructing the blind in their homes and aiding them to find employment and market the products of their industry. All such teachers and assistants shall be employed under and subject to the

provisions of "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, and in force July 1, 1905, and all Acts amendatory thereto.

APPROVED June 7, 1911.

CHARITABLE—ANNA STATE HOSPITAL, WATER SUPPLY.

Preamble.

§ 2. Emergency

§ 1. Appropriates \$135,000.

(HOUSE BILL NO. 312. APPROVED JUNE 2, 1911.)

AN ACT *making an appropriation for a water supply for the Anna State Hospital.*

WHEREAS, During the months of March, April and May, 1910, an epidemic of typhoid fever appeared among the employes and patients of the Anna State Hospital, causing approximately forty (40) deaths in excess of the normal rate; and,

WHEREAS, Analysis of the then water supply at the hospital condemned the same for drinking purposes, the same being polluted so that since that time all the water used in said hospital for drinking and culinary purposes must be rendered harmless at considerable expense, and even then it is impossible to prevent patients at times from drinking of the water in its polluted state thereby incurring the risk of a further epidemic of typhoid fever; and,

WHEREAS, The wells now sunk being seven in number, the last of which was sunk and equipped under an appropriation for water supply made by the General Assembly in 1909, have not procured a supply either adequate or fit for the uses of said hospital, such wells having exhausted the source of supply which falls far short of that needed by the hospital; and,

WHEREAS, The further sources of water supply in sufficient quantities and healthful condition on the institution grounds, the vicinity thereof, or elsewhere on the uplands in the country about said hospital will not prove adequate to the indispensable needs of such hospital, as shown by investigation thereof and that an examination of the sources of water supply in the Mississippi river bottom, distant about nine miles from the hospital, shows an adequate supply of pure water accessible at that point sufficient not only for the present, but for all future needs of such hospital, and such supply being of that vital character for the life, safety and care of the inmates, officers and employes of the institution so as to render such water supply imperative to the continued uses of such hospital as an institution for the care and treatment of the insane; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred thirty-five thousand (135,000) dollars, or so much thereof as may be necessary, be and the same is hereby appropriated to the Board of Administration for the purposes of installing, equipping and putting into operation a system of water supply at the Anna State Hospital, which shall



provide an adequate supply of pure water for the use of said hospital, such appropriation to provide for all pipe line or lines from the Mississippi river bottom at the nearest accessible source of water supply, pumping station, machinery, reservoirs, and all other appurtenances and equipments which shall be necessary and proper for the foregoing purposes, including the requisite land for the site, location of wells, pipe line or lines and the right of way for the laying of such pipe line or lines. If the Board of Administration shall be unable to agree with the owner or owners for the purchase of any real estate, right of way, franchise or right of entry required for the purposes of securing said water supply, said Board of Administration may acquire the title to such real estate, right of way, franchise or right of entry in the manner that may be now or hereafter provided for under and by virtue of an Act entitled, "An Act to provide for the exercise of the right of eminent domain." Approved April 10, 1872, and all Acts amendatory thereto. All money herein appropriated shall be due and payable to the Board of Administration or its order only on the terms and in the manner provided in an Act entitled, "An Act to revise the laws relating to charities and making an appropriation to carry out the provisions thereof." Approved June 15, 1909.

§ 2. WHEREAS, An emergency exists because of the several matters set forth in the preamble hereof, now, therefore, this Act shall be in force from and after its passage and approval.

APPROVED June 2, 1911.

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CHARITABLE—ELGIN STATE HOSPITAL, PAVING.

§ 1. Appropriates \$26,500.

| § 2. How drawn.

(HOUSE BILL NO. 453. APPROVED JUNE 9, 1911.)

*AN ACT making an appropriation for paving South State street and the continuation thereof abutting the property of the Elgin State Hospital of Elgin, Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of paving South State street and the continuation thereof abutting the property of the Elgin State Hospital at Elgin, Illinois, there is hereby appropriated to the Board of Administration the sum of twenty-six thousand five hundred dollars (\$26,500.00).

§ 2. The amount appropriated herein shall be due and payable to the Board [of] Administration, or its order only on the terms and in the manner provided in "An Act to revise the laws relating to charities and making an appropriation to carry out the provisions thereof," approved June 15, 1909, as amended February 26, 1910.

APPROVED June 9, 1911.

## CHARITABLE—NEW INSANE HOSPITAL.

§ 1. Appropriates \$500,000.

| § 2. How drawn.

(HOUSE BILL NO. 662. APPROVED MAY 31, 1911.)

AN ACT *making an appropriation for the purchase of ground and the erection of buildings for a new insane hospital.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the State Board of Administration for the purchase of a site and the drawing of the plans and the preliminary construction of a new State hospital for the insane the sum of \$500,000.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the amounts herein appropriated upon presentation of the proper vouchers certified to by the State Board of Administration and approved by the Governor.

APPROVED May 31, 1911.

## CHARITABLE—STATE INSTITUTIONS, ORDINARY.

Preamble.

§ 1. Appropriates \$3,162,584 for first year and \$3,753,264 for second year, for ordinary expenses.

§ 2. Appropriates \$345,000 in lieu of collections.

§ 3. How drawn.

(HOUSE BILL NO. 656. APPROVED JUNE 9, 1911.)

AN ACT *making appropriations for the ordinary and other expenses of the State Charitable institutions herein named.*

WHEREAS, Section 14 of "An Act to revise the laws relating to charities and making an appropriation to carry out the provisions thereof," approved June 15, 1909, in force July 1, 1909, provides that it is the duty of the Board of Administration, with the approval of the Governor, to present the needs of the several institutions under the care of said board to the Legislature, and it is, under said Act, the further duty of the fiscal supervisor and all other members of the Board of Administration, to present to the Legislature and to the Governor all such information regarding appropriations asked for as may be required, and

WHEREAS, All the ordinary or maintenance appropriations for such institutions shall be made to the Board of Administration to be used for the several institutions according to their varying needs, and,

WHEREAS, The Board of Administration has presented the needs of the several institutions hereinafter named for the ordinary or maintenance appropriations for the two years beginning July 1, 1911, as follows:

## ELGIN STATE HOSPITAL.

	For First Year.	For Second Year.
For ordinary operating expenses.....	\$ 242,016.00	\$ 260,816.00
For ordinary repairs and improvements....	35,000.00	35,000.00
For ordinary care and improvement of grounds .....	2,000.00	2,000.00

## KANAKEE STATE HOSPITAL.

	For First Year.	For Second Year.
For ordinary operating expenses.....	\$ 445,868.00	\$ 454,018.00
For ordinary repairs and improvements...	64,000.00	64,000.00
For ordinary care and improvement of grounds .....	2,500.00	2,500.00

## PSYCHOPATHIC INSTITUTE, KANKAKEE.

For ordinary operating expenses.....	11,800.00	11,800.00
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## JACKSONVILLE STATE HOSPITAL.

For ordinary operating expenses.....	251,755.00	266,855.00
For ordinary repairs and improvements...	25,000.00	25,000.00
For ordinary care and improvement of grounds .....	1,500.00	1,500.00

## ANNA STATE HOSPITAL.

For ordinary operating expenses.....	243,680.00	249,480.00
For ordinary repairs and improvements...	25,000.00	25,000.00
For ordinary care and improvement of grounds .....	2,000.00	2,000.00

## WATERTOWN STATE HOSPITAL.

For ordinary operating expenses.....	202,603.00	209,553.00
For ordinary repairs and improvements...	17,000.00	17,000.00
For ordinary care and improvement of grounds .....	2,000.00	2,000.00

## PEORIA STATE HOSPITAL.

For ordinary operating expenses.....	340,042.00	341,642.00
For ordinary repairs and improvements...	20,000.00	20,000.00
For ordinary care and improvement of grounds .....	5,000.00	5,000.00

## CHESTER STATE HOSPITAL.

For ordinary operating expenses.....	40,999.00	43,819.00
For ordinary repairs and improvements...	3,200.00	3,200.00
For ordinary care and improvement of grounds .....	500.00	500.00

## LINCOLN STATE SCHOOL AND COLONY.

For ordinary operating expenses.....	238,344.00	255,644.00
For ordinary repairs and improvements...	30,000.00	30,000.00
For ordinary care and improvement of grounds .....	2,000.00	2,000.00



## THE ILLINOIS STATE SCHOOL FOR THE DEAF.

	For First Year.	For Second Year.
For ordinary operating expenses .....	\$ 128,562.00	\$ 134,622.00
For ordinary repairs and improvements...	6,000.00	6,000.00
For ordinary care and improvement of grounds .....	1,000.00	1,000.00

## THE ILLINOIS SCHOOL FOR THE BLIND.

For ordinary operating expenses.....	59,700.00	59,700.00
For ordinary repairs and improvements....	3,500.00	3,500.00

## THE ILLINOIS INDUSTRIAL HOME FOR THE BLIND.

For ordinary operating expenses.....	29,782.00	29,782.00
For ordinary repairs and improvements...	1,000.00	1,000.00
For ordinary care and improvement of grounds .....	100.00	100.00
For ordinary repairs and improvement of factory .....	2,500.00	2,500.00

## THE ILLINOIS SOLDIERS' AND SAILORS' HOME.

For ordinary operating expenses.....	238,904.00	230,404.00
For ordinary repairs and improvements...	18,000.00	18,000.00
For ordinary care and improvement of grounds .....	3,400.00	3,400.00

## THE SOLDIERS' WIDOWS' HOME OF ILLINOIS.

For ordinary operating expenses.....	23,111.00	30,211.00
For ordinary repairs and improvements...	2,250.00	2,250.00
For ordinary care and improvement of grounds .....	800.00	800.00

## THE ILLINOIS SOLDIERS' ORPHANS' HOME.

For ordinary operating expenses.....	75,451.00	75,451.00
For ordinary repairs and improvements...	4,000.00	4,000.00
For ordinary care and improvement of grounds .....	600.00	600.00

## THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY.

For ordinary operating expenses.....	50,786.00	50,786.00
For ordinary repairs and improvements..	4,500.00	4,500.00

## THE STATE TRAINING SCHOOL FOR GIRLS.

	For First Year.	For Second Year.
For ordinary operating expenses.....	\$ 106,527.00	\$ 124,827.00
For ordinary repairs and improvements....	11,000.00	11,000.00
For ordinary care and improvement of grounds .....	2,500.00	2,500.00

## THE ST. CHARLES SCHOOL FOR BOYS.

For ordinary operating expenses.....	128,304.00	147,504.00
For ordinary repairs and improvements....	5,000.00	5,000.00
For ordinary care and improvement of grounds .....	1,500.00	1,500.00

## CHICAGO STATE HOSPITAL AT DUNNING.

For ordinary operating expenses for year beginning July 1, 1912.....	435,000.00
Ordinary repairs and improvements for year beginning July 1, 1912.....	35,000.00
Ordinary care and improvement of grounds for year beginning July 1, 1912.....	2,000.00
Total .....	\$3,162,584.00    \$3,753,264.00

SECTION 1. *Now, therefore, be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Board of Administration for the purpose of defraying the ordinary expenses of the State institutions under the control of said board, for the two years beginning July 1, 1911, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of \$6,915,848.00, as follows:

	First Year.	Second Year.
For ordinary operating expenses.....	\$2,858,234.00	\$3,411,914.00
For ordinary repairs and improvements....	276,950.00	311,950.00
For ordinary care and improvement of grounds .....	27,400.00	29,400.00
Total .....	\$3,162,584.00	\$3,753,264.00

All of said moneys so appropriated shall be for the use of the several institutions to be used by the Board of Administration according to the varying needs of such institutions.

§ 2. There is also hereby appropriated to the Board of Administration for the ordinary expenses of the institutions under the control of said board, the sum of \$345,000 per annum in lieu of moneys collected by managing officers of institutions from various sources, such as

the sale of manufactured articles, of farm products, collections from counties and individuals for clothing and incidental expenses, and of all other sources, which collections shall be transmitted monthly to the State treasury.

§ 3. All moneys appropriated shall be due and payable to the Board of Administration, or to its order, only on the terms and in the manner provided in an "Act to revise the laws relating to charities and to make an appropriation for carrying out the provisions thereof," approved June 15, 1909, as amended February 26, 1910.

APPROVED June 9, 1911.

#### CHARITABLE—STATE INSTITUTIONS, SPECIAL.

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|--|-----------------|
| § 1. Appropriates \$1,184,250.65 to Board of Administration to be apportioned between institutions for purposes specified. | § 2. How drawn. |
|--|-----------------|

(HOUSE BILL No. 657. APPROVED JUNE 7, 1911.)

AN ACT *making appropriations for the State charitable institutions herein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Board of Administration for the purposes herein stated, for the two years beginning July 1, 1911, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of one million one hundred eighty-four thousand two hundred fifty dollars and sixty-five cents (\$1,184,250.65), to be apportioned between the institutions as follows:

#### ELGIN STATE HOSPITAL.

For new plumbing in center group .....	\$15,000.00
For one cottage for tubercular patients .....	18,000.00
For psychopathic laboratory and morgue .....	9,000.00
For completing two cottages .....	27,000.00
For laundry .....	25,000.00
For bakery .....	16,000.00
For electric wiring .....	10,000.00
For water supply .....	4,000.00
For horses .....	2,000.00
For dairy herd .....	2,000.00
For furniture and beds .....	2,000.00
For furnishing acute building for men .....	1,800.00

#### KANKAKEE STATE HOSPITAL.

For farm horses .....	3,750.00
For dairy herd .....	3,600.00
For new tunnel (center building to boiler room) .....	1,500.00
For steel truss roof for boiler room at main power plant ..	3,000.00



For irrigation system .....	\$ 1,600.00
For new pump for river water at pumping station .....	700.00
For pipe covering .....	3,500.00
For 500 h. p. boiler .....	10,000.00
For converting cottage No. 5 into a nurses' home.....	25,000.00
For warehouse for tools and mechanics' supplies .....	5,000.00

## JACKSONVILLE STATE HOSPITAL.

For painting .....	3,500.00
For rewiring buildings .....	10,000.00
For quarters for male employés .....	40,000 00
For completing male hospital wing .....	4,500.00
For new iron beds .....	1,500.00
For enlarging and remodeling bakery .....	2,000.00

## ANNA STATE HOSPITAL.

For new kitchen and bakery .....	50,000.00
For infirmary for women .....	50,000.00
For addition to storeroom .....	5,000.00
For electric elevator in hospital .....	3,200.00

## WATERTOWN STATE HOSPITAL.

For rebuilding Assembly Hall .....	25,000.00
For new building .....	50,000.00
For stand pipe and water system .....	9,500.00

## PEORIA STATE HOSPITAL.

For extraordinary improvements .....	20,000.00
For men's dormitory .....	50,000.00
For sanitary dairy barn .....	10,000.00
For dairy herd .....	6,000.00
For fencing .....	500.00
For farm horses .....	2,000.00
For refurnishing 30 buildings .....	12,000.00
For converting hot water system into a steam system....	50,000.00
For water system .....	30,600.00
For building deficiency .....	752.68
For men's farm colony .....	30,000.00

## CHESTER STATE HOSPITAL.

For chicken house, hog house, addition to cow barn and implement house .....	3,000.00
For painting outside of buildings .....	1,000.00

## LINCOLN STATE SCHOOL AND COLONY.

For tiling dining room floors .....	\$ 4,000.00
For new hospital for females .....	50,000.00
For two silos .....	2,500.00
For installing new scales .....	1,000.00
For pasteurizing plant .....	500.00
For extending and repairing coal sheds .....	5,000.00
For furniture for new addition at farm .....	1,800.00
For dairy herd .....	1,200.00
For renewing boiler system .....	23,000.00

## THE ILLINOIS SCHOOL FOR THE DEAF.

For typesetting machine .....	4,000.00
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## THE ILLINOIS SCHOOL FOR THE BLIND.

For circulating library for blind .....	1,000.00
For silos and machinery .....	300.00
For new mangle for laundry .....	500.00
For new pianos .....	800.00

## THE ILLINOIS INDUSTRIAL HOME FOR THE BLIND.

For new concrete floor in basement .....	1,500.00
For extending vault and refrigerator .....	1,800.00
For painting dormitories .....	1,200.00
For working capital—Emergency appropriation .....	10,500.00
For working capital for 1911 .....	7,500.00
For working capital for 1912 .....	7,500.00

## Special Assessment—

To pay special assessment West Chicago Park Commissioners No. 7 for the improvement of Marshall boulevard, Levi P. Morton Subdivision of SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 24-39-13, except right of way of Chicago, Burlington & Quincy Railroad Company .....	3,352.97
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## THE ILLINOIS SOLDIERS' AND SAILORS' HOME.

For improvement of Cemetery .....	4,000.00
For grading around new cottages .....	5,000.00
For new dormitory for hospital attendants .....	7,000.00
For additional land .....	8,100.00
For extending cold storage system to vegetable and storage room .....	1,200.00
For switch extension, elevated track and coal sheds .....	15,000.00
For fire protection in 21 cottages .....	2,100.00
For fire protection in basement of the Home Hospital .....	1,000.00
For ice boxes for cottages 20 and 24 .....	1,000.00
For steam heated tables for cook house .....	400.00

## THE SOLDIERS' WIDOWS' HOME OF ILLINOIS.

For boilers and enlarging boiler and coal house.....	\$ 3,950.00
For hospital building .....	20,000.00

## THE ILLINOIS SOLDIERS' ORPHANS' HOME.

For new laundry and equipment .....	10,000.00
For fire department house .....	350.00
For additional coal bins .....	695.00
For repairing roof of administration building .....	1,500.00
For repairing root cellar .....	300.00
For concrete floor .....	400.00

## THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY.

For replacing two wooden stairways in old building .....	3,500.00
For sterilizer and connections .....	1,200.00

## THE STATE TRAINING SCHOOL FOR GIRLS.

For rewiring main building .....	3,000.00
For two cottages .....	75,000.00
For infirmary, hospital and medical work and supplies....	10,000.00
For boiler and enlarging power plant buildings and other changes .....	12,000.00
For balance to Chicago and Northwestern Ry. Co., on switch track .....	1,500.00

## THE ST. CHARLES SCHOOL FOR BOYS.

For dairy herd .....	3,000.00
For sewers and drains .....	5,000.00
For walks .....	1,500.00
For installation of track scales .....	300.00
For furniture and carpets .....	1,500.00
For kitchen, bakery, cold storage and equipment of same..	30,000.00
For laundry building and equipment .....	11,000.00
For remodeling the farm houses.....	12,000.00
For two new farm cottages and furnishing same.....	27,300.00
New wells for increased water supply .....	5,000.00

## CHICAGO STATE HOSPITAL, DUNNING.

New buildings and wrecking old almshouse and tubercular building .....	110,000.00
Repairing roof .....	1,000.00

§ 2. All moneys appropriated shall be due and payable to the Board of Administration, or to its order, only on the terms and in the manner provided in "An Act to revise the laws relating to charities and making an appropriation to carry out the provisions thereof," approved June 15, 1909, as amended February 26, 1910.

APPROVED June 7, 1911.



## CHARITABLE—SURGICAL INSTITUTION FOR CHILDREN.

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|--|--------------------------------|
| § 1. Appropriates \$60,000 for construction, and \$15,000 for furnishings. | § 2. How drawn.                |
|  | § 3. Funds not to be diverted. |

(HOUSE BILL NO. 141. APPROVED JUNE 6, 1911.)

*AN ACT making an appropriation for the Illinois Surgical Institution for Children in the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be and is hereby appropriated for the purpose of constructing a suitable hospital building for the Illinois Surgical Institution for Children in the State of Illinois, the sum of sixty thousand dollars (\$60,000); and for the furnishing of said building the sum of fifteen thousand dollars (\$15,000).

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant on the Treasurer for the sums herein appropriated, payable out of any money in the treasury, not otherwise appropriated, upon vouchers signed and approved by the Board of Administration, for the purposes provided in an Act entitled "An Act to establish a surgical institute for children in the State of Illinois."

§ 3. Notwithstanding any statute to the contrary, the money herein appropriated for the purpose above set forth shall be used only for the purpose herein specified, and the said sums, nor no part thereof, shall be in any way or at any time diverted to any other purpose or use.

APPROVED June 6, 1911.

## DAIRYMEN'S ASSOCIATION.

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|--------------------------------------|-----------------|
| § 1. Appropriates \$2,500 per annum. | § 2. How drawn. |
|--------------------------------------|-----------------|

(HOUSE BILL NO. 397. APPROVED JUNE 5, 1911.)

*AN ACT making an appropriation for the Illinois Dairymen's Association.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand five hundred dollars (\$2,500.00) per annum for the years 1911 and 1912 be, and the same is hereby appropriated to the said Dairymen's Association in compiling, publishing and distributing its reports, and other necessary expenses.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the sum specified in this Act, on bills of particulars certified to by the officials of said Dairymen's Association to the order of the president of said association, and the State Treasurer shall pay same out of any funds in the treasury not otherwise appropriated.

APPROVED June 5, 1911.

EDUCATIONAL—EASTERN NORMAL SCHOOL, ORDINARY.

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|---|---|
| <p>§ 1. Appropriates \$73,000 for ordinary expenses in 1911-12.</p> | <p>§ 2. Appropriates \$73,000 for ordinary expenses in 1912-13.</p> |
|   | <p>§ 3. How drawn.</p>  |

(SENATE BILL No. 109. APPROVED MAY 25, 1911.)

AN ACT to make an appropriation for the ordinary expenses of the Eastern Illinois State Normal School at Charleston, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the purpose of defraying the ordinary expenses of the Eastern Illinois State Normal School, Charleston, for the year beginning July 1, 1911, the sum of \$73,000.00, payable quarterly in advance.

§ 2. For the purpose of defraying the ordinary expenses of the Eastern Illinois State Normal School, Charleston, for the year beginning July 1, 1912, the sum of \$73,000.00 is appropriated, payable quarterly in advance.

§ 3. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for said sums so appropriated for ordinary expenses, quarterly, upon the order of the trustees of said institution, signed by the president and attested by the secretary, with the corporate seal attached: *Provided*, that no part of said sum shall be due and payable to said institution until a detailed statement of receipts from all sources, together with a detailed statement of the expenditures, accompanied by the original vouchers, is filed with the Auditor of Public Accounts for all previous expenditures incurred, and said detailed statement of receipts and expenditures shall show the balance on hand at the beginning of the period for which said statement is made, the total amount received and expended and the balance on hand at the close of the quarter for which the same is made.

APPROVED May 25, 1911.

EDUCATIONAL—EASTERN NORMAL SCHOOL, SPECIAL.

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| <p>§ 1. Appropriates \$83,500 for items specified.</p> | <p>§ 2. How drawn.</p> |
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(SENATE BILL No. 110. APPROVED MAY 27, 1911.)

AN ACT to make an appropriation for library, laboratory, grounds, green house, and for building, equipment and furnishings at the Eastern Illinois State Normal School at Charleston, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and are hereby appropriated to the State institution named in this Act for the purposes herein stated, for the two years beginning July 1, 1911, the aggregate amount of which is \$83,500.00, and that the said sums so appropriated shall be apportioned as follows:

To the Eastern Illinois State Normal School, Charleston—

For library .....	\$ 4,000.00
For laboratory .....	1,500.00
For grounds .....	3,000.00
For building for model school and manual arts .....	75,000.00
Total .....	\$83,500.00

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sums of money upon the order of the board of trustees of said educational institution herein named, signed by the president and attested by the secretary of said board with the corporate seal of said institution attached and approved by the Governor: *Provided*, said orders shall be accompanied by statements in detail of all expenditures made in pursuance of the aforesaid appropriations, and no warrant shall be issued until such statements in detail are filed by the said institution to which the appropriation is made: *And, provided, further*, that such detailed statements of receipts and expenditures and balance on hand shall be made separately for each and every appropriation made to said institution.

APPROVED May 27, 1911.

EDUCATIONAL—NORTHERN NORMAL SCHOOL, ORDINARY.

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| § 1. Appropriates \$81,000 for ordinary expenses in 1911-12. | § 3. How drawn. |
| § 2. Appropriates \$81,000 for ordinary expenses in 1912-13. |                 |

(SENATE BILL NO. 82. APPROVED MAY 25, 1911.)

AN ACT *for an appropriation for ordinary expenses of the Northern Illinois State Normal School, DeKalb.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the purpose of defraying the ordinary expenses of the Northern Illinois State Normal School, DeKalb, for the year beginning July 1, 1911, the sum of eighty-one thousand dollars, payable quarterly in advance.

§ 2. For the purpose of defraying the ordinary expenses of the said State institution for the year beginning July 1, 1912, the sum of eighty-one thousand dollars is appropriated, payable quarterly in advance, and the said appropriation shall be received by the said institution until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 3. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for said sums so appropriated for ordinary expenses, quarterly, upon the order of the trustees of said institution, signed by the president and attested by the secretary, with the corporate seal attached: *Provided*, that no part of said sum shall be due and payable to said institution until a detailed



statement of receipts from all sources, together with a detailed statement of the expenditures, accompanied by the original vouchers, is filed with the Auditor of Public Accounts for all previous expenditures incurred, and said detailed statement of receipts and expenditures shall show the balance on hand at the beginning of the period for which said statement is made, the total amount received and expended, and the balance on hand at the close of the quarter for which the same is made.

APPROVED May 25, 1911.

EDUCATIONAL—NORTHERN NORMAL SCHOOL, SPECIAL.

§ 1. Appropriates \$28,200 for items enumerated. | § 2. How drawn.

(SENATE BILL NO. 72. APPROVED MAY 29, 1911.)

AN ACT making an appropriation for the Northern Illinois State Normal School, DeKalb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and are hereby appropriated to the Northern Illinois State Normal School, DeKalb, for the purposes herein stated for the two years beginning July 1, 1911, the aggregate amount of which is \$28,200.00.

For science laboratories, \$1,000.00 per annum .....	\$ 2,000.00
For library, \$2,000 per annum .....	4,000.00
For grounds, school, garden and green houses, \$1,000 per annum .....	2,000.00
For extraordinary repairs and changes in main building...	1,500.00
For the completion of five basement rooms in new building...	1,700.00
For equipment of new building .....	4,500.00
For equipment of new laboratory .....	1,500.00
For two new boilers in heating plant .....	11,000.00
Total .....	\$28,200.00

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sums of money, upon the order of the board of trustees of said educational institution herein named, signed by the president and attested by the secretary of said board, with the corporate seal of said institution attached and approved by the Governor: *Provided*, said orders shall be accompanied by statements in detail of all expenditures made in pursuance of the aforesaid appropriation respectively, and no warrant shall be issued until such statements are filed by the said institution.

APPROVED May 29, 1911.

## EDUCATIONAL—SOUTHERN NORMAL UNIVERSITY, ORDINARY.

- § 1. Appropriates one-half interest on college and seminary fund and \$68,806.44 per annum. | § 2. How drawn—annual budget.

(SENATE BILL NO. 76. APPROVED MAY 26, 1911.)

AN ACT to make an appropriation for the ordinary expenses of the Southern Illinois Normal University, at Carbondale, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and there is hereby appropriated to the Southern Illinois Normal University, at Carbondale, in addition to one-half the interest on the college and seminary fund, which is hereby appropriated the further sum of sixty-eight thousand eight hundred and six dollars and forty-four cents (\$68,806.44) per annum, payable quarterly in advance, for the payment of salaries, for fuel, lights, repairs, library, apparatus, museum, salaries of engineers and janitors, printing and advertising, trustees' expenses, laboratory supplies, contingent, summer session, care of grounds, gymnasium, manual training and household arts.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for said sum appropriated for the ordinary expenses, quarterly as aforesaid, upon the order of the trustee of said Southern Illinois Normal University, signed by the president and attested by the secretary, with the corporate seal thereto attached: *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the said Auditor of Public Accounts for all expenses of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

Proposed annual budget for the next two years (July 1, 1911, to June 30, 1913):

Teachers' salaries .....	\$48,506.44
One-half college and seminary fund (may be added to above) .....	6,493.56
Library—books, magazines and binding .....	1,500.00
Fuel, lights and power .....	3,000.00
Laboratory supplies .....	1,000.00
Apparatus (illustrative) .....	1,200.00
Improvements of grounds .....	2,000.00
Buildings and grounds .....	1,400.00
General supplies .....	1,000.00
Museum .....	1,300.00
Gymnasium .....	400.00
Repairs (1 per cent of cost of buildings) .....	3,800.00
Printing and advertising .....	1,000.00
Contingent fund .....	1,000.00
Manual training .....	400.00
Household arts .....	300.00
Summer session .....	400.00

Trustees' expenses .....	\$400.00
Incidentals .....	200.00
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	\$75,300.00

APPROVED May 26, 1911.

EDUCATIONAL—SOUTHERN NORMAL UNIVERSITY, SPECIAL.

§ 1. Appropriates \$75,000 for woman's building.	§ 3. Appropriates \$19,985 for items named.
§ 2. Location of building.	§ 4. How drawn.

(SENATE BILL NO. 75. APPROVED MAY 29, 1911.)

AN ACT to make an appropriation to construct and furnish a women's building and gymnasium and to provide for needed repairs, equipment and furnishings at the Southern Illinois Normal University at Carbondale, Ill.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of seventy-five thousand dollars (\$75,000.00) for the purpose of erecting and furnishing a suitable women's building and gymnasium at the Southern Illinois Normal University, at Carbondale, Illinois.

§ 2. Said building shall be constructed at such place on the property of the said university as the trustees thereof may select, and under the direction and supervision of said trustees.

§ 3. That there be and is hereby appropriated the further sum of nineteen thousand nine hundred and eighty-five dollars (\$19,985.00) to cover the following special needs:

SPECIAL APPROPRIATIONS.

Frescoing—

Rooms in Wheeler building and rooms and corridors in main building .....	\$1,000.00
Rooms in science building .....	300.00
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	\$ 1,300.00

Granitoid walks—

About main building .....	\$900.00
About science building .....	900.00
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	1,800.00

Furniture .....	1,000.00
Upper stacks in library .....	2,000.00
Outdoor play apparatus .....	300.00
Woman's dormitory and furnishings .....	75,000.00
Installing agricultural equipment .....	1,000.00
Agricultural ground .....	10,000.00
Enlarging gymnasium to accommodate the demand for larger dressing rooms and bath rooms .....	1,585.00
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Total .....	\$93,985.00
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§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant or warrants on the State Treasurer for the sum herein appropriated, upon the order of the board of trustees of the Southern Illinois Normal University, countersigned by the secretary of said board, with the seal of said university.

APPROVED May 29, 1911.

EDUCATIONAL—STATE NORMAL UNIVERSITY, ORDINARY.

§ 1. Appropriates one-half of interest on college and seminary fund and \$108,600 per annum for ordinary expenses.	§ 2. How drawn.
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(SENATE BILL NO. 122. APPROVED MAY 25, 1911.)

AN ACT *to make an appropriation for the ordinary expenses of the Illinois State Normal University.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Illinois State Normal University, in addition to one-half of the interest of the College and Seminary fund, which is hereby appropriated, the further sum of one hundred eight thousand six hundred dollars (\$108,600) per annum for the two years beginning July 1, 1911, payable quarterly in advance, for the payment of salaries, for the expenses of the Board of Education, for ordinary repairs on buildings and heating plants, for the purchase of fuel, water, and electric current, for furniture, for school apparatus, for laboratory supplies, for care of the grounds, and for incidental expenses.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid sum of money, upon the order of the Board of Education of the State of Illinois, signed by the president and attested by the secretary of said board with corporate seal of said institution: *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts for the expenditures, ordinary and extraordinary of the preceding quarter, and that no part of the money herein appropriated shall be due and payable until such vouchers shall have been filed.

APPROVED May 25, 1911.

EDUCATIONAL—STATE NORMAL UNIVERSITY, SPECIAL.

§ 1. Appropriates \$4,600 for pavement and painting.	§ 2. How drawn.
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(SENATE BILL NO. 121. APPROVED MAY 29, 1911.)

AN ACT *to make an appropriation for improvements and extraordinary expenses of the Illinois State Normal University.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Illinois State Normal University the sum of four thousand six hundred dollars (\$4,600), as follows:

For the year beginning July 1, 1911:	
For pavement along grounds .....	\$4,000
For the year beginning July 1, 1912:	
For painting brickwork of main building (reappropriated).....	600
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	\$4,600

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid sums of money as they shall be needed for the purposes indicated, upon the order of the Board of Education of the State of Illinois, signed by the president and attested by the secretary of the said board with corporate seal of said institution. Satisfactory vouchers, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts for all expenditures of the preceding quarter made from the appropriations provided in this Act.

APPROVED May 29, 1911.

EDUCATIONAL—STATE NORMAL UNIVERSITY, TRAINING SCHOOL.

§ 1. Appropriates \$125,000 for training school building. | § 2. How drawn.

(SENATE BILL NO. 120. APPROVED MAY 27, 1911.)

AN ACT to make an appropriation to erect and complete a building for the Training School of the Illinois State Normal University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Illinois State Normal University the sum of one hundred twenty-five thousand dollars (\$125,000), payable quarterly as may be needed, for the erection and completion of a suitable building for the Training School of said normal university.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid sum of money upon the order of the Board of Education of the State of Illinois signed by the president and attested by the secretary of said board with corporate seal of said institution. Satisfactory vouchers in detail shall be filed quarterly with the Auditor of Public Accounts for the expenditures for the erection of said building during the preceding quarter.

APPROVED May 27, 1911.

## EDUCATIONAL—UNIVERSITY OF ILLINOIS, BUILDINGS AND EQUIPMENT.

§ 1. Appropriates \$82,000 for additions to plant.	§ 4. For erection and equipment of buildings, \$153,000.
§ 2. For structure equipped with kilns, furnaces, etc., \$21,000.	§ 5. For erection and equipment of buildings, \$550,000.
§ 3. For specimens of breeds of live stock and equipment, \$22,500.	§ 6. For purchase of land, \$20,000.
	§ 7. How drawn.

(HOUSE BILL NO. 641. APPROVED JUNE 10, 1911.)

## AN ACT making appropriations for equipment and the erection of buildings for the University of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the University of Illinois the following sums for additions to the plant:

1. For additional equipment to water station, two thousand dollars (\$2,000) per annum .....	\$ 4,000
2. Increase of telephone exchange, fifteen hundred dollars (\$1,500) per annum .....	3,000
3. For enlarging the general heating and lighting plant, thirty thousand dollars (\$30,000) .....	30,000
4. Reconstruction, remodeling and equipment of the Law School building, fifteen thousand dollars (\$15,000) .....	15,000
5. Repairs to and reconstruction in gymnasium, five thousand dollars (\$5,000) .....	5,000
6. For additional equipment Department of Mining Engineering .....	25,000
Total .....	\$82,000

§ 2. That the sum of twenty-one thousand dollars (\$21,000) or so much thereof as may be necessary, be and is hereby appropriated for a structure, suitably arranged and equipped with kilns, furnaces and stacks required in the study of the heat treatment of clays, glass and cement products.

§ 3. For the purpose of purchasing additional equipment and specimens of the different breeds of live stock, that there be and hereby is appropriated the sum of twenty-two thousand five hundred dollars (\$22,500.00) to be distributed as follows:

Specimens of dairy breeds .....	\$ 3,500.00
Specimens of beef breeds .....	3,500.00
Horses, breed specimens .....	10,000.00
Sheep, breed specimens .....	1,000.00
Swine, breed specimens .....	1,000.00
Equipment for laboratory in farm mechanics .....	3,500.00
Total .....	\$22,500.00



§ 4. That the sum of one hundred and fifty-three thousand dollars (\$153,000.00) be and is hereby appropriated out of any funds in the State treasury not otherwise appropriated for the purpose of erecting and equipping the following buildings, the estimated cost of each of which is set opposite the same, namely:

Animal husbandry building .....	\$80,000
To rebuild glass house .....	30,000
Addition to agronomy green house .....	9,000
To enlarge farm mechanics building .....	8,000
Dairy investigation barn .....	10,000
Sheep building .....	2,000
Cold storage in horticultural field laboratory .....	9,000
Clinic building .....	5,000
Total .....	\$153,000

§ 5. That the sum of five hundred and fifty thousand dollars (\$550,000) be and is hereby appropriated out of any fund in the State treasury not otherwise appropriated for the purpose of erecting and equipping the following buildings, costing not to exceed the sums set opposite the same:

1. Armory .....	\$100,000
2. Engineering building and ground .....	200,000
3. Building for School of Commerce .....	125,000
4. Addition to Women's building .....	125,000
Total .....	\$550,000

§ 6. The sum of \$20,000 is hereby appropriated for the purchase of forty acres of land now held under option as addition to the University experimental farm.

§ 7. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, payable out of any money in the treasury not otherwise appropriated upon the order of the Board of Trustees of said University, attested by its secretary and the corporate seal of the university.

*Provided*, that no part of said sum shall be due and payable to said university until satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor for all previous expenditures incurred by the university on account of the appropriations hitherto made: *And, provided, further*, that vouchers shall be taken in duplicate and original, or duplicate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditures of the sums appropriated in this Act.

APPROVED June 10, 1911.

## EDUCATIONAL—UNIVERSITY OF ILLINOIS, ENDOWMENT FUND.

§ 1. Appropriates interest on endow- | § 2. How drawn.  
ment fund.

(HOUSE BILL NO. 671. APPROVED JUNE 7, 1911.)

AN ACT *appropriating to the University of Illinois the money granted in an Act of Congress, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts," established under the provisions of an Act of Congress approved July 2, 1862, and the money granted by an Act of Congress approved March 4, 1907, entitled, "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908."*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum or sums of money which may have accrued or may hereafter (before the first day of July, 1913) accrue to the State of Illinois under the provisions of an Act of the Congress of the United States, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provision of an Act of Congress," approved July 2, 1862; and the money granted by an Act of Congress, approved March 4, 1907, entitled, "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908," are hereby appropriated to the University of Illinois, and whenever any portion of the said money shall be received by the State Treasurer it shall immediately be due and payable into the treasury of said university.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, upon the order of the chairman of the board of trustees of said university, countersigned by its secretary and with the corporate seal of said university.

APPROVED JUNE 7, 1911.

## EDUCATIONAL—UNIVERSITY OF ILLINOIS, MAINTENANCE, ETC.

1. Appropriates \$1,724,000 for purposes enumerated.	§ 8. For experiments in milk and dairy products, etc., \$15,000 per annum.
§ 2. For equipment, etc., of college of medicine, \$60,000.	§ 9. For experiments in flowers, etc., \$8,000 per annum.
§ 3. Duties of college of agriculture—appropriates \$207,900 per annum.	§ 10. For investigations, etc., in household science, \$2,500 per annum.
§ 4. For investigations, etc., concerning live stock, feed, etc., \$25,000 per annum.	§ 11. For printing soil maps, etc., \$25,000 per annum.
§ 5. For experiments in farm crops, etc., \$15,000 per annum.	§ 12. Committee meetings.
§ 6. For examination of soil, maps, etc., \$65,000 per annum.	§ 13. For mining engineering department, \$15,000 per annum.
§ 7. For experiments in horticulture, etc., \$15,000 per annum.	§ 13a. For investigations concerning mine workers and mineral resources, \$5,000 per annum.
	§ 14. How drawn.

(HOUSE BILL No. 642. APPROVED JUNE 10, 1911.)

AN ACT *making appropriations for the maintenance and extension of the various departments of the University of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

1. That there be and is hereby appropriated per biennium to the University of Illinois for the payment of salaries and for the ordinary operating expenses, the sum of five hundred seventy-five thousand dollars (\$575,000) per annum .....	\$1,150,000
2. For materials for shop practice, the sum of six thousand dollars (\$6,000) per annum .....	12,000
2a. For increase of historic, scientific and artistic cabinets and collections, four thousand dollars (\$4,000) per annum .....	8,000
3. For addition to the library, twenty-five thousand dollars (\$25,000) per annum .....	50,000
4. For fire protection, fifteen hundred dollars (\$1,500) per annum .....	3,000
4a. For additions to apparatus and appliances, four thousand dollars (\$4,000) per annum .....	8,000
5. For laying pavements and walks and widening walks around main buildings, four thousand dollars (\$4,000) per annum .....	8,000
6. For maintenance and extension of the Engineering College and the expenses of the Engineering Experiment Station, ninety thousand dollars (\$90,000) per annum .....	180,000
7. For painting and repairs on buildings and improvements to grounds, twenty-five thousand dollars (\$25,000) per annum .....	50,000
8. For carrying on State Water Survey, seventy-five hundred dollars (\$7,500) per annum .....	15,000



9.	For maintenance of Department of Social and Political Science and Industrial Economics, including instruction in banking, insurance, railway administration, farm organization and management, agricultural education, etc., twenty-five thousand dollars (\$25,000) per annum .....	\$ 50,000
10.	For equipment and support of Law School, twenty-five thousand dollars (\$25,000) per annum .....	50,000
11.	For equipment and maintenance of the School of Pharmacy, ten thousand dollars (\$10,000) per annum .....	20,000
12.	For equipment and maintenance of Chemical Laboratory, ten thousand dollars (\$10,000) per annum..	20,000
13.	For maintenance of the Graduate School, fifty thousand dollars (\$50,000) per annum .....	100,000
Total .....		\$1,724,000

§ 2. That there be and is hereby appropriated for the equipment, maintenance and extension of the College of Medicine of the University of Illinois the sum of sixty thousand dollars (\$60,000) per annum.

§ 3. That it shall be the duty of the College of Agriculture to give thorough and reliable instruction in the economic production of crops; the treatment of the different soils of the State in such manner as to secure largest returns from each and without impairing its fertility; the principles of breeding and management of live stock, including animal diseases and a thorough knowledge of the various breeds and market classes; the economic and sanitary production of dairy goods, and the best methods of meeting existing market demands, and of extending and developing trade in the agricultural productions of the State. That it shall be the further duty of said college to provide and maintain such live stock specimens, laboratories, apparatus and other material equipment, together with teachers of such experience and skill as shall make such instruction effective. That to carry out the provisions of this section there be, and hereby is, appropriated the sum of two hundred and seven thousand, nine hundred dollars (\$207,900.00) annually, for the years 1911 and 1912.

§ 4. That it shall be the duty of the Agricultural Experiment Station to conduct investigations calculated to develop the beef, pork, mutton, wool and horse producing interests of the State, and especially to devise and conduct feeding experiments intended to determine the most successful combination of stock foods, particularly in Illinois grains and forage crops, and to discover the most economical and successful methods of maintaining animals and fitting them for the market, to investigate live stock conditions, both at home and abroad, in so far as they affect market values, and to publish the results of such experiments and investigations. That to carry out the provisions of this section there be and hereby is appropriated the sum of twenty-five thousand dollars (\$25,000.00) annually for the years 1911 and 1912: *Provided*, that

the director of the Agricultural Experiment Station, in planning and conducting the work undertaken and outlined in this section, shall be assisted by an advisory committee of five, to be appointed by the Illinois Live Stock Breeders' Association.

§ 5. That is [it] shall be the duty of the Agricultural Experiment Station to conduct experiments in several sections of the State, in order to discover the best methods of producing corn, wheat, oats, clover and other farm crops on the different soils and under the various climatic conditions of the State, and for the purpose of improving the varieties grown for special purposes; and that to carry out the provisions of this section there be, and hereby is, appropriated the sum of fifteen thousand dollars (\$15,000.00) annually for the years 1911 and 1912: *Provided*, that the director of the Agricultural Experiment Station, in planning and conducting the work undertaken and outlined in this section, shall be assisted by an advisory committee of five, to be appointed as follows: Two by the Illinois Corn Growers' Association, one by the Illinois Seed Corn Breeders' Association and one by the Illinois Grain Dealers' Association and one by the Farmers' Grain Dealers' Association.

§ 6. That is [it] shall be the duty of the Agricultural Experiment Station to make chemical and physical examination of the various soils of the State, in order to identify the several types and determine their character; to make and publish an accurate survey with colored maps, in order to establish the location, extent and boundaries of each; to ascertain by direct experiment in laboratory and field what crops and treatment are best suited to each; whether the present methods are tending to best results and whether to the preservation or reduction of fertility, and what rotations and treatment will be most effective in increasing and retaining the productive capacity of Illinois lands; and that, to carry out the provisions of this section, there be and hereby is, appropriated the sum of sixty-five thousand dollars (\$65,000.00) annually for the years 1911 and 1912: *Provided*, that the director of the Agricultural Experiment Station, in planning and conducting the work undertaken and outlined in this section, shall be assisted by an advisory committee of five, to be appointed by the Illinois Farmers' Institute.

§ 7. That it shall be the duty of the Agricultural Experiment Station to discover and demonstrate the best methods of orchard treatment, the culture and marketing of fruits and vegetables, and the most effective remedies for insect and fungous enemies to fruits and vegetables; to make a systematic study of plant breeding, and to develop, by means of crossing and selection, new and improved varieties of fruits and vegetables, and that, to carry out the provisions of this section there be, and hereby is, appropriated the sum of fifteen thousand dollars (\$15,000.00) annually for the years 1911 and 1912: *Provided*, that the director of the Agricultural Experiment Station, in planning and conducting the work undertaken and outlined in this section, shall be assisted by an advisory committee of five, to be appointed by the Illinois State Horticultural Society.

§ 8. That it shall be the duty of the Agricultural Experiment Station to investigate the dairy conditions of the State; to discover and demonstrate improved methods of producing and marketing wholesale milk and other dairy products, and to promote the dairy interests of the State by such field assistance in the dairy sections upon farms and in the creameries and factories as shall tend to better methods and more uniform products; and that to carry out the provisions of this section there be, and hereby is, appropriated the sum of fifteen thousand dollars (\$15,000.00) annually for the years 1911 and 1912: *Provided*, that the director of the Agricultural Experiment Station, in planning and conducting the work undertaken and outlined in this section, shall be assisted by an advisory committee of five, to be appointed by the Illinois State Dairymen's Association.

§ 9. That it shall be the duty of the Agricultural Experiment Station to discover and demonstrate the best methods of producing plants, cut flowers and vegetables under glass, and the most effective remedies for disease and insect enemies of the same, to investigate and demonstrate the best varieties and methods of producing ornamental trees, shrubs and plants suitable for public and private grounds in the various soils and climatic conditions of the State, and to disseminate information concerning the same; and that to carry out the provisions of this section there be, and hereby is, appropriated the sum of eight thousand dollars (\$8,000.00) annually for the years 1911 and 1912: *Provided*, that the director of the Agricultural Experiment Station, in planning and conducting the work undertaken and outlined in this section, shall be assisted by an advisory committee of five, to be appointed by the Illinois State Florists' Association.

§ 10. That it shall be the duty of the College of Agriculture, through its department of household science, to make such investigations and give such instructions and demonstrations as are calculated to advance the art of practical housekeeping in the State, with special reference to supply practical instructions to those desiring to take special courses in the science relating to and in the art of practical housekeeping, and that to carry out the provisions of this Act there be, and hereby is, appropriated two thousand five hundred dollars (\$2,500.00) per annum for the years 1911 and 1912.

§ 11. That for the purpose of printing colored soil maps of counties surveyed and results of other investigations already made there be, and hereby is, appropriated the sum of twenty-five thousand dollars (\$25,000.00) annually for the years 1911 and 1912.

§ 12. That the committees representing the several associations herein named shall meet at such times and places as may be designated by the dean of said college, or the director of the Agricultural Experiment Station, or upon request of a majority of the committee; that they shall serve without compensation, except for expenses, to be paid out of the respective funds, and that said committees shall make to their respective associations, at their annual meetings, full reports of the work in progress under the provisions of this Act.



§ 13. That there be and hereby is appropriated to the University of Illinois for the maintenance and extension of the Department of Mining Engineering, the sum of fifteen thousand dollars (\$15,000) per annum.

§ 13a. That there be and hereby is appropriated to the University of Illinois for work of investigation in coöperation with the State Geological Survey and the U. S. Bureau of Mines with a view to conserving the lives of the mine workers and the mineral resources of the State, the sum of five thousand dollars (\$5,000) per annum.

§ 14. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, payable out of any money in the treasury not otherwise appropriated upon the order of the board of trustees of said university, attested by its secretary and the corporate seal of the university: *Provided*, that no part of said sum shall be due and payable to said university until satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor for all previous expenditures incurred by the university on account of the appropriations hitherto made: *And, provided, further*, that vouchers shall be taken in duplicate and original, or duplicate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditures of the sums appropriated in this Act.

APPROVED June 10, 1911.

#### EDUCATIONAL—UNIVERSITY OF ILLINOIS, WATER SURVEY.

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|--|----------------------------------|
| § 1. Authorizes employment of field men. | § 3. Annual and special reports. |
| § 2. Appropriates \$15,000 per annum.    | § 4. How drawn.                  |

(SENATE BILL NO. 263. APPROVED MAY 25, 1911.)

AN ACT *imposing new and additional duties upon the State Water Survey and making an appropriation therefor.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the State Water Survey, heretofore established at the University of Illinois, shall, in addition to the duties heretofore imposed upon it, be authorized and instructed to employ such field men as may be necessary to visit municipal water supplies and inspect water sheds to make such field studies and to collect such samples as are necessary, to analyze and test samples and to make any investigations to the end that a pure and adequate public water supply for domestic and manufacturing purposes may be maintained in each municipality to make sanitary analysis free of charge of samples of water from municipal water supplies or from private wells, collected according to the directions of the State Water Survey and to report the result of such examination to the board of health, superintendent of water works, other officer or officers of the water department of the city, village or incorporated town, or to citizens by whom the samples respectively were collected.

§ 2. That the sum of fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated, to be used for the payment of salaries or other compensation of the assistants and employés and for such other expenses as may be necessary for visiting municipal water supplies, inspecting water sheds, making field studies, and collecting and testing samples of water, and for making any investigations that will show how to best obtain or conserve an adequate supply of pure water for domestic and manufacturing purposes in every section of the State.

§ 3. That an annual report of the work of the State Water Survey and such special reports as may be necessary shall be published.

§ 4. That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the amounts herein appropriated, payable out of any money in the treasury not otherwise appropriated, upon the order of the board of trustees of the University of Illinois, attested by its secretary and with the corporate seal of the university; and no installment subsequent to the first shall be paid by the Treasurer, nor warrant drawn therefor, until detailed accounts showing expenditures of the preceding installments have been filed with the Auditor of Public Accounts; *And, provided, further,* that vouchers shall be taken in duplicate, and the original of duplicate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditure of the sums appropriated in this Act.

APPROVED May 25, 1911.

#### EDUCATIONAL—WESTERN NORMAL SCHOOL, GENERAL.

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|---|-----------------|
| § 1. Appropriates \$70,250 per annum for ordinary expenses, repairs, etc., and \$75,000 for woman's building. | § 2. How drawn. |
|---|-----------------|

(SENATE BILL NO. 66. APPROVED MAY 31, 1911.)

#### AN ACT *making appropriations for the Western Illinois State Normal School.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and are hereby appropriated to the Western Illinois State Normal School for the purposes herein stated, for the two years beginning July 1, 1911:

For the purpose of defraying the ordinary expenses, the payment of the principal and instructors, employés and workmen, for fuel, light, apparatus, and all incidental necessary expenses and supplies, per annum, \$65,000.00.

For repairs of building, per annum, \$2,000.00.

For expenses of trustees, per annum, \$250.00.

For addition to the library, per annum, \$1,500.00.

For care and improvement of grounds, per annum, \$1,500.00.

For the erection of a woman's building, \$75,000.00.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for said sum so appropriated for ordinary expenses, quarterly, upon the order of the trustees of said institution, signed by the president and attested by the secretary, with the corporate seal attached: *Provided*, that no part of said sum shall be due and payable to said institution until a detailed statement of receipts from all sources, together with a detailed statement of expenditures accompanied by the original vouchers, is filed with the Auditor of Public Accounts for all previous expenditures incurred, and said detailed statement of receipts and expenditures shall show the balance on hand at the beginning of the period for which said statement is made, the total amount received and expended, and the balance on hand at the close of the quarter for which the same is made.

APPROVED May 31, 1911.

#### FIRE MARSHAL—PROVISIONAL.

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|--|---|
| <p>§ 1. Appropriates \$9,700 for maintenance and incidentals to June 30, 1911.</p> <p>§ 2. Paid out of special fund.</p> | <p>§ 3. How drawn.</p> <p>§ 4. Emergency.</p> |
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(SENATE BILL NO. 119. APPROVED MAY 31, 1911.)

#### AN ACT *making an appropriation to the office of the State Fire Marshal.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and are hereby appropriated to the office of the State Fire Marshal for the maintenance of said office and of expenses incident thereto for the period ending June 30, 1911:

1. For deputies, clerks, stenographers, special attorneys, janitor, and other necessary employes, three thousand dollars (\$3,000.00).
2. For traveling expenses of the State Fire Marshal, assistant fire marshal, first and second deputy fire marshals, special attorneys, other deputies, stenographers, and other employes of the office, four thousand dollars (\$4,000.00).
3. For telegraphing, telephoning, expressage, postage, the purchase of furniture, typewriters, office supplies, printing, engraving and purchase of the necessary printing paper, and stationery therefor, and the payment of other incidental expenses for the maintenance of the office, two thousand five hundred dollars (\$2,500.00). For office rent two hundred dollars (\$200.00).

§ 2. The moneys appropriated in the above and foregoing section shall be paid by the State Treasurer only out of the special fund paid into the State treasury in accordance with the provisions of section 12 of an Act entitled, "An Act creating the office of State Fire Marshal, prescribing his duties, and providing for his compensation and



for the maintenance of his office." Approved June 15, 1909, in force July 1, 1909, for the maintenance of said office of State Fire Marshal and the expenses incident thereto.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for the sums herein appropriated upon bills certified to by the State Fire Marshal and approved by the Governor, and the State Treasurer shall pay such warrants out of the moneys herein appropriated.

§ 4. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect from and after its passage and approval by the Governor.

APPROVED May 31, 1911.

#### FIREMEN'S ASSOCIATION.

Preamble.

§ 1. Appropriates \$750 per annum.

§ 2. No part as salary to any officer.

§ 3. Annual statement.

§ 4. How drawn.

(HOUSE BILL NO. 162. APPROVED JUNE 5, 1911.)

AN ACT *to make an appropriation for the benefit, aid and maintenance of the Illinois Firemen's Association.*

WHEREAS, The Illinois Firemen's Association is an organization representing the firemen, especially the volunteer firemen of the State, and is organized under the laws of this State; and

WHEREAS, The aims of the Illinois Firemen's Association are the education of firemen in the fire service, and the betterment of the service in the several towns and cities of the State, for which purpose annual meetings are held for the discussion of topics on the subject, and the hearing of suggestions that are of great value to the membership (made up of the fire department of the State of Illinois).

THEREFORE, To help sustain this organization in the holding of its annual meetings and the printing of its reports, and to otherwise promote the usefulness of this meritorious organization, the fire fighters, who voluntarily give their service in the protection of lives and homes:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Illinois Firemen's Association the following sums, to-wit: For the printing and distribution of its programs, its annual report of proceedings, organization, postage, stationery, expenses of the annual meeting, the dissemination of information pertaining to the business of the organization, the sum of seven hundred and fifty dollars (\$750.00) per annum.

§ 2. No part of the said seven hundred and fifty dollars (\$750.00) shall be paid as salary to any officer of the Illinois Firemen's Association.

§ 3. The secretary and treasurer of the association shall make an annual statement to the Governor on or before January 1 of each and every year, of the disposition of the said appropriation.

§ 4. The State Auditor is hereby authorized to draw his warrant for the sum herein specified, and to deliver the same to the president and treasurer of the Illinois Firemen's Association upon their presenting proper vouchers for the same, signed by the president and secretary of said association, and the State Treasurer shall pay out of any money in the State treasury not otherwise appropriated.

APPROVED June 5, 1911.

#### FISH COMMISSION—PROVISIONAL.

§ 1. Appropriates \$1,294.54 for ordinary and contingent expenses from May 1 to June 30, 1911.	§ 2. How drawn.
	§ 3. Emergency

(SENATE BILL No. 480. APPROVED MAY 26, 1911.)

AN ACT making an appropriation for the payment of the ordinary and contingent expenses of the State Fish Commission from May 1st to June 30, 1911, now unprovided for by law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to meet the ordinary and contingent expenses of the State Fish Commission, from the 1st day of May until the 30th day of June, 1911, the sum of \$1,294.54, payable from any funds now in the State treasury to the credit of the State Fish Protection Fund.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sum herein appropriated, upon the presentation of proper vouchers certified to by the State Fish Commissioners and approved by the Governor, which warrants shall be payable out of the State Fish Protection Fund.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect from and after its passage and approval by the Governor.

APPROVED May 26, 1911.

#### FISH LICENSE FEES REFUNDED.

Preamble.	§ 2. How drawn.
§ 1. Appropriates \$15,248.31.	

(HOUSE BILL No. 592. APPROVED MAY 31, 1911.)

AN ACT making an appropriation for the payments paid to the State Treasurer for license to fish under section 21 of Act entitled, "An Act to encourage the propagation and to secure the protection of fishes in all the waters under the jurisdiction of the State of Illinois, defining the duties of the fish commissioners, fixing their compensation, providing penalties for the violation of the provisions thereof," passed by the General Assembly of 1907, and known as House Bill No. 834.

WHEREAS, The Supreme Court of the State of Illinois has declared section 21 of an Act entitled, "An Act to encourage the propagation

and to secure the protection of fishes in all waters under the jurisdiction of the State of Illinois, defining the duties of the fish commissioners, fixing their compensation and providing penalties for the violation of the provisions thereof," passed by the General Assembly in 1907 and known as House Bill No. 834, to be unconstitutional; and

WHEREAS, There has been paid into the treasury by various persons fees for license to fish under said section 21.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated fifteen thousand two hundred forty-eight dollars and thirty-one cents (\$15,248.31), a sum of money equal to the total amount paid into the treasury by such persons for such license fees.

§ 2. That the Auditor of Public Accounts upon the delivery to him of any such licenses, is hereby authorized and directed to draw a warrant on the said Treasurer in favor of said persons, respectively, for the respective amounts so paid by them, payable out of any money in the treasury not otherwise appropriated.

APPROVED May 31, 1911.

#### FOOD COMMISSIONER—INSPECTORS AND CHEMISTS.

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|--|------------------------------------|
| § 1. Appropriates \$20,200 per annum<br>for salaries and expenses. | § 2. How drawn.<br>§ 3. Emergency. |
|--|------------------------------------|

(SENATE BILL NO. 337. APPROVED MAY 31, 1911.)

AN ACT to provide for the payment of salaries and expenses of inspectors and chemists provided for by "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, and in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or as much thereof as may be necessary, respectively, be and are hereby appropriated for the purpose of paying the salaries and expenses of inspectors and chemists and office expenses provided for by "An Act to regulate the sale and analysis of concentrated feeding stuffs, approved May 18, 1905, in force July 1, 1905," until the expiration of the first fiscal quarter after the adjournment of the next General Assembly; for salaries of six inspectors at twelve hundred dollars each per annum the sum of seventy-two hundred dollars per annum; for expenses of six inspectors the sum of seventy-two hundred dollars per annum; for salaries of two chemists at twelve hundred dollars each per annum, the sum of twenty-four hundred dollars per annum; for expenses of two chemists the sum of twenty-four hundred dollars per annum; for expenses of laboratory and office supplies the sum of one thousand dollars per annum.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw warrants upon the State Treasurer for all sums herein appropriated for the payment of salaries of inspectors and chemists to be paid on monthly pay rolls duly certified to by the State Food Commissioner, and for the payment of expenses of inspectors and chemists



incurred in the performance of their official duties, and for the payment of expenses of laboratory and office supplies and rent, on itemized bills accompanied by vouchers approved by the State Food Commissioner.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED May 31, 1911.

GAME DEPARTMENT—EXPENSES, PROVISIONAL.

§ 1. Appropriates \$45,465 for ordinary and contingent expenses from Feb. 1 to June 30, 1911.	§ 2. How drawn. § 3. Emergency.
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(HOUSE BILL NO. 429. APPROVED JUNE 5, 1911.)

AN ACT *making an appropriation for the payment of the ordinary and contingent expenses of the State Game Department, from the first day of February, 1911, to the 30th day of June, 1911, now unprovided for by law.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or as much thereof as may be necessary, respectively, for the purposes herein-after named, be and the same are hereby appropriated to meet the ordinary and contingent expenses of the State Game Department from the first day of February, 1911, to the 30th day of June, 1911:

1. Expenses and disbursements of the State Game Commissioner while traveling in the line of his duty, three hundred dollars.

2. Printing, stationery, postage, expressage, telegraphing, telephoning and other incidental expenses, nine thousand nine hundred and fifteen dollars; two clerks at one hundred and fifty dollars each per month; one clerk at one hundred and twenty-five dollars per month; one clerk at one hundred dollars per month; two stenographers at one hundred dollars per month each; one clerk at ninety dollars per month; two clerks at seventy-five dollars per month each; one messenger at seventy dollars per month; total salary for office employes, five thousand one hundred and seventy-five dollars.

3. Actual and necessary expenses, traveling expenses and other expenses and disbursements of the game wardens and deputy game wardens, seven thousand dollars (\$7,000.00).

4. For rental of State game farm, sixteen hundred and three dollars; for maintenance and operation of a propagating farm for all species of game birds and animals, including the purchase of necessary foods, forage and supplies for game birds and animals, seven thousand and seventy-two dollars; for the employment of four game-keepers, seventeen hundred dollars; twelve assistant game-keepers and ten laborers, six thousand eight hundred and twenty-five dollars.

5. Living expenses of the State Game Commissioner as superintendent of the State game farm, three hundred and seventy-five dollars.

6. Purchase of foreign and domestic game birds and animals, for the purpose of restocking sections of the State where a scarcity of such birds and animals exists, five thousand five hundred dollars.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for the sums herein appropriated, upon the presentation of proper vouchers certified to by the State Game Commissioner and approved by the Governor, which warrants shall be payable only out of the State Game Protection fund, and the State Treasurer shall pay the same only out of the said State Game Protection fund.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect from and after its passage and approval by the Governor.

APPROVED June 5, 1911.

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GAME DEPARTMENT—SALARIES, PROVISIONAL.

§ 1. Appropriates \$20,000 for salaries from Feb. 1 to June 30, 1911.	§ 2. How drawn.
	§ 3. Emergency.

(SENATE BILL No. 336. APPROVED MAY 26, 1911.)

AN ACT *making an appropriation for the payment of the salaries of the State Game Commissioner, Game Wardens and Deputy Wardens from the first day of February, 1911, to the 30th day of June, 1911, now unprovided for by law.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of twenty thousand dollars, or so much thereof as may be necessary, to pay the salaries of the State Game Commissioner, game wardens and deputy game wardens, at such rates of compensation as are now or hereafter may be fixed by law, from the first day of February, 1911, to the 30th day of June, 1911.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sums herein appropriated upon the presentation of proper vouchers certified to by the State Game Commissioner and approved by the Governor, which warrants shall be payable only out of the State Game Protection fund, and the State Treasurer shall pay such warrants out of the said State Game Protection fund.

§ 3. WHEREAS, An emergency exists, this Act shall be in force and effect from and after its passage and approval by the Governor.

APPROVED May 26, 1911.

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GENERAL ASSEMBLY, 47TH—COMMITTEE EXPENSES.

§ 1. Appropriates \$56,300 for purposes specified.	§ 2. How drawn.
	§ 3. Emergency.

(SENATE BILL No. 426. APPROVED MAY 25, 1911.)

AN ACT *to make an appropriation to pay the committee expenses of the Forty-seventh General Assembly.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

That the sum of fifty-six thousand, three hundred dollars, or so much thereof as may be necessary, be and the same is hereby appro-

priated to pay the expenses of the committees of the Forty-seventh General Assembly, and that the said sum so appropriated shall be used for the following purposes:

1. For the expenses, other than for attorneys' fees, of the Committee on Elections of the Senate, the sum of one thousand dollars.

2. For attorneys' fees in contested election cases before the Committee on Elections of the Senate, the sum of three thousand dollars.

3. For the expenses, other than for attorneys' fees, of the Committee on Elections of the House of Representatives, the sum of five thousand six hundred dollars.

4. For attorneys' fees in contested election cases before the Committee on Elections of the House of Representatives, the sum of twenty-nine thousand one hundred dollars.

5. For telegraphing, telephoning, postage, expressage, witness fees, traveling and other expenses, other than the compensation of counsel, clerks, stenographers, investigators, and assistants, of the special Senate committee, known as the Helm Investigating Committee, created by Senate Resolution No. 17, the sum of twenty-two hundred dollars.

6. For the compensation of counsel, clerks, stenographers, investigators and assistants employed by the said special Senate committee created by Senate Resolution No. 17, the sum of six thousand four hundred dollars.

7. For telegraphing, telephoning, postage, expressage, traveling and other expenses, other than the compensation of counsel, clerks, stenographers, investigators, and assistants of the special Senate committee, known as the Cook County Civil Service Investigating Committee, created by Senate Resolution No. 46, the sum of twelve hundred dollars.

8. For the compensation of counsel, clerks, stenographers, investigators, and assistants employed by the said special Senate committee, created by Senate Resolution No. 46, the sum of four thousand dollars.

9. For the traveling and incidental expenses and stenographers of the special Senate committee, known as the Garment Workers' Investigating Committee, created by Senate Resolution No. 15, the sum of thirteen hundred dollars.

10. For the expenses of other committees of the House and Senate such as visiting committees, etc., the sum of twenty-five hundred dollars. Vouchers for said expenses shall be certified by the chairman of the committee incurring the same, and approved by the President of the Senate and the Speaker of the House of Representatives.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED May 25, 1911.



## GENERAL ASSEMBLY, 47TH—EMPLOYEES, (1.)

§ 1. Appropriates \$50,000—how drawn. | § 2. Emergency.

(SENATE BILL NO. 134. APPROVED FEBRUARY 15, 1911.)

AN ACT *making appropriations for the payment of employ  s of the Forty-seventh General Assembly.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby appropriated the sum of fifty thousand dollars, or so much thereof as may be necessary, to pay the employ  s of the Forty-seventh General Assembly at the rate of compensation allowed by law. Said employ  s to be paid upon rolls certified to by the presiding officers of the respective houses or by the Secretary of State, as provided by law.

§ 2. WHEREAS, The above appropriation is necessary for the transaction of the business of the State, therefore, an emergency exists and this Act shall take effect from and after its passage.

APPROVED Feb. 15, 1911.

## GENERAL ASSEMBLY, 47TH—EMPLOYEES, (2.)

§ 1. Appropriates \$25,000—how drawn. | § 2. Emergency.

(SENATE BILL NO. 460. APPROVED APRIL 29, 1911.)

AN ACT *making appropriations for the payment of employ  s of the Forty-seventh General Assembly.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of \$25,000, or so much thereof as may be necessary, to pay the employ  s of the Forty-seventh General Assembly at the rate of compensation allowed by law. Said employ  s to be paid upon pay rolls certified to by the presiding officers of the respective houses, or by the Secretary of State.

§ 2. WHEREAS, The above appropriation is necessary for the transaction of the business of the State; therefore, an emergency exists, and this Act shall take effect from and after its passage.

APPROVED April 29, 1911.

## GENERAL ASSEMBLY, 47TH—EMPLOYEES, (3.)

§ 1. Appropriates \$5,000—how drawn. | § 2. Emergency.

(SENATE BILL NO. 499. APPROVED MAY 19, 1911.)

AN ACT *to provide for the payment of the employ  s of the Forty-seventh General Assembly of the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary to pay the employ  s of the Forty-seventh General

Assembly at the rate of compensation allowed by law. Said employés to be paid upon rolls certified to by the presiding officers of the respective houses and the Secretary of State as provided by law.

§ 2. WHEREAS, The above appropriation is necessary for the transaction of the business of the State, therefore, an emergency exists and this Act shall take effect from and after its passage.

APPROVED May 19, 1911.

GENERAL ASSEMBLY, 47TH—ENTERTAINMENT OF PRESIDENT TAFT.

§ 1. Appropriates \$8,600.

§ 2. How drawn.

§ 3. Emergency.

(HOUSE BILL NO. 395. APPROVED MARCH 20, 1911.)

AN ACT *making an appropriation to defray the expenses of entertaining the President.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eight thousand six hundred dollars (\$8,600) or so much thereof as may be required, is hereby appropriated to defray the expenses of furnishing a military escort to the President, printing souvenir programs, and to meet any other expenses incurred by the joint committee of the House and Senate appointed to make arrangements for the reception and entertainment of the President while a guest of the General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the sum herein specified upon presentation of proper vouchers certified by the chairman of the joint committee and approved by the Speaker of the House and the President of the Senate, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect from and after its passage.

APPROVED Mar. 20, 1911.

GENERAL ASSEMBLY, 47TH—FUNERAL OF FRANK C. BURKE.

§ 1. Appropriates \$953.88 to defray expenses of committee.

§ 2. How drawn.

§ 3. Emergency—items.

(HOUSE BILL NO. 551. APPROVED JUNE 7, 1911.)

AN ACT *making an appropriation to defray the expenses of the funeral of the late Representative, Frank C. Burke.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated nine hundred and fifty-three dollars and eighty-eight cents (\$953.88) to defray the expenses of the committee named by the Speaker to make and care for the funeral arrangements of the late Representative, Frank C. Burke.

§ 2. The Auditor of Public Accounts is authorized to pay said bill upon vouchers properly certified by the chairman of the committee.

§ 3. WHEREFORE, An emergency exists, therefore this Act shall be in effect from and after its passage.

Expenses for funeral of Representative Frank C. Burke.

Purtell Bros. (undertaker).....	\$562.00
Gerahty & Co. (badges and gloves).....	95.50
William Bradley (carriages).....	40.00
Marietta Livery (livery).....	48.00
Diamond Livery (livery).....	32.00
H. T. Mueller (livery).....	16.00
Schofield (house floral pieces).....	75.00
J. F. Purcell (livery).....	40.00
R. F. Herndon (draping desk).....	15.13
Long Distance Phones.....	7.25
Expenses of committee, Springfield to Chicago, paid by Mr. McParland .....	23.00

[Total].....\$953.88

APPROVED June 7, 1911.

#### GENERAL ASSEMBLY, 47TH—INCIDENTALS, (1.)

§ 1. Appropriates \$14,000.

§ 2. How drawn.

§ 3. Emergency.

(SENATE BILL NO. 118. APPROVED MARCH 8, 1911.)

AN ACT to provide for the incidental expenses of the Forty-seventh General Assembly of the State of Illinois, and for the care and custody of the State House and grounds, to be incurred and now unprovided for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fourteen thousand dollars, or so much thereof as may be required, is hereby appropriated to pay the incidental expenses of the Forty-seventh General Assembly, or either branch thereof, or to be expended by the Secretary of State in the discharge of the duties imposed upon him by law, or by the direction of the General Assembly, or either branch thereof. All expenditures to be certified to by the Secretary of State, as provided by law.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.



§ 3. WHEREAS, The appropriation above recited is necessary for the expenses incurred in the transaction of the business of the State and the Forty-seventh General Assembly, therefore, an emergency exists, and this Act shall take effect from and after its passage.

APPROVED March 8, 1911.

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GENERAL ASSEMBLY, 47TH—INCIDENTALS, (2.)

§ 1. Appropriates \$5,000.

§ 2. How drawn.

§ 3. Emergency.

(HOUSE BILL NO. 677. APPROVED JUNE 2, 1911.)

AN ACT *to provide for the incidental expenses of the Forty-seventh General Assembly of the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand dollars or so much thereof as may be required is hereby appropriated to pay the incidental expenses of the Forty-seventh General Assembly, or either branch thereof, to be expended on vouchers certified to by the presiding officers of either branch thereof.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, The appropriation above recited is necessary for the expenses incurred in the transaction of the business of the State and the Forty-seventh General Assembly, therefore, an emergency exists and this Act shall take effect and be in force from and after its passage.

APPROVED June 2, 1911.

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GENERAL ASSEMBLY, (48TH) AND STATE OFFICERS.

§ 1. Appropriates \$2,400,000.

(HOUSE BILL NO. 674. APPROVED JUNE 5, 1911.)

AN ACT *making an appropriation for the payment of the officers and members of the next General Assembly, and for salaries of the officers of the State government.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of two million, four hundred thousand dollars (\$2,400,000) or so much thereof as may be necessary, to pay the officers and members of the next General Assembly, and the salaries of the officers of the State government, at such rates of compensation as are now or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the next General Assembly.

APPROVED June 5, 1911.

## GRAND ARMY OF THE REPUBLIC.

§ 1. Appropriates \$2,000.

§ 2. Annual appropriation.

§ 3. How drawn.

(HOUSE BILL No. 157. APPROVED JUNE 2, 1911.)

AN ACT making an appropriation for the payment of the printing and of the publication expenses of the Grand Army of the Republic of the Department of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand dollars (\$2,000) be appropriated for the Grand Army of the Republic, of the Department of Illinois, for the purpose of paying for the printing and publishing bills and other contingent expenses of a similar nature incurred by said organization for the purpose of keeping a permanent record of the soldiers and sailors of the Civil War.

§ 2. That of the aforesaid sum appropriated, the sum of one thousand dollars (\$1,000) shall be available annually for the purposes above named.

§ 3. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for the sum herein appropriated; said warrants to be drawn only upon itemized bills, signed by the Department Commander and Assistant Adjutant General of the Grand Army of the Republic, Department of Illinois, and approved by the Governor, and the State Treasurer is hereby directed to pay said warrants, drawn as aforesaid, out of any funds in the State treasury not otherwise appropriated.

APPROVED June 2, 1911.

## HISTORICAL LIBRARY—DOCUMENTS, ETC.

§ 1. Appropriates \$5,500 per annum.

(HOUSE BILL No. 277. APPROVED JUNE 5, 1911.)

AN ACT making appropriations for procuring and preserving documents, papers and materials and publications relating to the Northwest and the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand five hundred dollars (\$5,500.00) per annum be and the same is hereby appropriated for the purpose of procuring and preserving documentary material relating to the Northwest and the State of Illinois, and publishing the same, the same to be expended by the trustees of the Illinois State Historical Library, with the sanction of the Governor.

APPROVED June 5, 1911.

## HORTICULTURAL SOCIETY.

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|--|-----------------|
| § 1. Appropriates \$5,000 per annum—<br>proviso—field experiments. | § 2. How drawn. |
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(HOUSE BILL NO. 306. APPROVED JUNE 5, 1911.)

AN ACT *making an appropriation in aid of the Illinois State Horticultural Society.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the use of the Illinois State Horticultural Society, the sum of five thousand dollars (\$5,000.00) per annum, for the purpose of advancing the growth and development of the horticultural interests of the State for the years 1911 and 1912, said sum to be expended by said society for the purpose and in the manner specified in "An Act to organize the Illinois State Horticultural Society," approved March 24, 1874: *Provided, however,* that no portion thereof shall be paid for or on account of any salary or emoluments of any officer of said society, except the secretary, who may receive not to exceed four hundred dollars per annum: *And, provided, further,* that one thousand dollars (\$1,000.00) of said sum may be expended each year in field experiments.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the sum in this Act specified on bills of particulars certified to by the officials of said society to the order of the president of said society and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

APPROVED June 5, 1911.

## ILLINOIS PARK COMMISSION—STARVED ROCK STATE PARK.

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| § 1. Appointment of commission—<br>term.                   | § 7. Injury to tree, shrub or plant—<br>penalty. |
| § 2. Powers.   | § 8. Offenses and penalties.                     |
| § 3. Dedication.   | § 8½. Intoxicating liquors.                      |
| § 4. Starved Rock State Park—des-<br>cription of property. | § 9. Enforcement of laws.                        |
| § 5. Acquisition—title, etc.                               | § 10. Appropriates \$151,000.                    |
| § 6. Condemnation proceedings.                             | § 11. How drawn.                                 |

(HOUSE BILL NO. 390. APPROVED JUNE 10, 1911.)

AN ACT *in relation to the acquisition, control, maintenance, improvements and protection of State parks, and making an appropriation to carry into effect the provisions of this Act.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be the duty of the Governor, within thirty days of the time this Act takes effect, to appoint a commission to be known as the Illinois Park Commission, to consist of three members: *Provided,* that not more than two members shall belong to the same political party. The members of the commission



so appointed shall hold office—one for one year, one for two years and one for three years, from the first day of July, A. D. 1911, and until their successors are appointed and qualified. Thereafter successors to them whose terms of office shall expire, shall be appointed by the Governor for a term of three years. The members of said commission shall receive no compensation for any duties performed by them as members of said commission.

§ 2. The Illinois Park Commission shall have power—

1. To have the care, charge, control, supervision and management of all public parks acquired by the State under the provisions of this Act, or which may hereafter be acquired.

2. To make such rules and regulations for the use, care and administration of State parks, as may be necessary to carry into effect the powers hereby expressly granted and enforce the same.

3. To lay out and ornament any State park and govern and manage the same.

4. To lay out, construct and maintain all proper roads, walks, bridle paths, bridges in any State park.

5. To permit the use of State parks by campers and pleasure parties under such restrictions, rules and regulations as said commission may deem necessary.

6. To employ such custodians, keepers, clerks, assistants, laborers and subordinates as may be necessary to carry into effect the provisions of this Act.

7. To lease any lands or premises situated within the limits of any State park which, in the opinion of said commission, can be leased without detriment to such park.

8. To purchase, or acquire, for and in the name of the State of Illinois title to such tracts of land which the General Assembly may from time to time authorize to be acquired as and for State parks.

9. To investigate and report to the Governor, on or before the first day of January next preceding the regular session of the General Assembly, regarding any proposed park, and in such report shall make recommendations respecting other regions in Illinois desirable for State park purposes, either on account of their historical interest or their natural beauty.

§ 3. All State parks subject to the provisions of this Act shall be and are hereby set apart and dedicated as public parks, or pleasure grounds, for the benefit and enjoyment of all the people of this State.

§ 4. That a tract of land situated in the County of LaSalle, and State of Illinois, known and described as follows:

Beginning at the south bank of the Illinois river, on the line between sections sixteen (16) and seventeen (17), town thirty-three (33) north of the base line, range two (2), east of the third principal meridian, thence south between sections sixteen (16) and seventeen (17) and sections twenty (20) and twenty-one (21) to the southwest corner of the northwest quarter (N. W.  $\frac{1}{4}$ ) of section twenty-one (21); thence east along the south line of said northwest quarter (N. W.  $\frac{1}{4}$ ) and north-

east quarter (N. E.  $\frac{1}{4}$ ) of said section twenty-one (21), and the south line of the northwest fractional quarter of section twenty-two (22) to a point 1,622.5 feet east of the southwest corner of said last named quarter section; thence south 470 feet; thence south 23 degrees, 42 minutes east, 778 feet; thence south 26 degrees, 36 minutes east, 1,632.7 feet to a point forty (40) feet west of the southeast corner of the southwest quarter (S. W.  $\frac{1}{4}$ ) of said section twenty-two (22); thence east on the line between sections twenty-two (22) and twenty-seven (27), and on the line between sections twenty-three (23) and twenty-six (26) to a point 1,285 feet east of the northwest corner of the northeast quarter (N. E.  $\frac{1}{4}$ ) of said section twenty-six (26); thence south 900 feet; thence east 1,330 feet to the east line of said section twenty-six (26); thence south on said east line 226 feet; thence north, 58 degrees, 58 minutes, east 210 feet; thence north 85 degrees, 14 minutes, east, 390 feet; thence east 757 feet to the east line of the west half (W.  $\frac{1}{2}$ ) of the northwest quarter (N. W.  $\frac{1}{4}$ ) of section twenty-five (25); thence south 510 feet; thence east to the east line of the northwest quarter (N. W.  $\frac{1}{4}$ ) of said section twenty-five (25); thence south 1,140 feet to the center of said section twenty-five (25); thence east on the south line of the northeast quarter (N. E.  $\frac{1}{4}$ ) of said section twenty-five (25) 500 feet; thence south 500 feet; thence east 600 feet; thence north 500 feet; thence east on the south line of said northeast quarter (N. E.  $\frac{1}{4}$ ) to the east line of said section twenty-five (25); thence north on the east line of sections twenty-five (25) and twenty-four (24) to the south bank of the Illinois river; thence westerly and northwesterly along said south bank of the Illinois river to the place of beginning. Also all that part of the northeast quarter (N. E.  $\frac{1}{4}$ ) of section twenty-one (21) and the northwest quarter (N. W.  $\frac{1}{4}$ ) of said section twenty-two (22) on Plumb island. Containing in all 1,155.56 acres, according to government survey, shall be secured by the Illinois Park Commission, as hereinafter set out, and when secured shall be perpetually set apart as and for a State park, and shall be known as "The Starved Rock State Park."

§ 5. The Illinois Park Commission is hereby authorized and empowered to obtain title by donation, purchase or otherwise, from the several owners or owner of the tract of land described in section 4 of this Act. The conveyance of such title, after such title has been passed upon and approved by the Attorney General, shall be taken in the name of the People of the State of Illinois, and the title, deeds and other evidence of title shall be deposited in the office of the Secretary of State.

§ 6. In case the Illinois Park Commission cannot acquire title to the land described in section 4 of this Act, or any part or parcel thereof, at a reasonable price in the opinion of said commission, then said commission is hereby vested with power, in the name of the People of the State of Illinois, to obtain title to such land, or to any part or parcel thereof, by condemnation under the eminent domain laws of this State:

*Provided*, that all negotiations and legal proceedings provided for by this Act shall be under the direct supervision of the Attorney General of this State.

§ 7. Any person who wilfully destroys, cuts, breaks, injures or removes any tree, shrub or plant within any State park shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten dollars and not more than one hundred dollars, and shall stand committed to the county jail until such fine and costs are paid.

§ 8. Any person who wilfully destroys, mutilates, injures or defaces any guide-post, sign, notice, tablet, fence, railing, enclosure or other work for the protection or ornament of any State park shall be guilty of a misdemeanor, and on conviction may be fined in any sum not exceeding five hundred dollars, or be imprisoned in the county jail not exceeding three months, or may be punished by both such fine and imprisonment in the discretion of the court.

§ 8½. It shall be unlawful to sell, distribute, drink or give away any distilled, spirituous, vinous, fermented, malt or intoxicating liquors in any quantity whatever within any public park acquired by the State under the provisions of this Act, or which may hereafter be acquired, and any person, by himself, agent, or employé, violating the provisions of this section, shall, upon conviction for the first offense, be fined in any sum not less than \$25.00 nor exceeding \$100.00, and for each subsequent offense be fined not less than \$50.00 nor more than \$200.00, and imprisoned in the county jail not less than ten days nor more than ninety days. Any shift or device to evade the provisions of this section shall be held to be a violation of this section, and any fine or imprisonment mentioned in this section may be enforced by indictment or information in any court of record having criminal jurisdiction, or the fine mentioned in this section may be sued for and recovered before any justice of the peace in the proper county, in the name of the People of the State of Illinois, and in case of conviction the offender or offenders shall stand committed to the county jail until the judgment and costs are fully paid.

§ 9. The superintendent, guardians, custodians and keepers of any State park are hereby vested with police power to enforce the laws of the State of Illinois in all State parks.

§ 10. To carry into effect the provisions of this Act until the end of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, the following sums, or so much thereof as may be required, are hereby appropriated to the Illinois Park Commission, out of any money in the State treasury not otherwise appropriated for the following purposes, to-wit:

1. For the acquisition of the land described in section 4 of this Act, or so much thereof as may be required by purchase, condemnation or otherwise: *Provided*, the land so acquired shall make one contiguous and compact tract and shall include within its area Starved Rock proper, including all expenses incident to condemnation proceedings, the sum of one hundred and fifty thousand dollars.



2. For the traveling and other necessary expenses and disbursements of the members of the Illinois Park Commission, the sum of one thousand dollars.

§ 11. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants for the sums hereby appropriated upon the presentation of proper vouchers, certified to by the Illinois Park Commission, and the Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED June 10, 1911.

#### INVESTIGATIONS—BUILDING LAWS COMMISSION.

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|---|----------------------------|
| § 1. Appointment of commission—<br>membership classified. | § 3. Appropriates \$5,000. |
| § 2. Duties—report—recommendations—<br>printing.          | § 4. Final report.         |
|   | § 5. How drawn.            |

(SENATE BILL NO. 332. APPROVED MAY 25, 1911.)

AN ACT *authorizing the appointment of a commission to revise and codify the building laws of the State of Illinois and making an appropriation to carry into effect the provisions of this Act.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor be and he is hereby empowered and directed to appoint a commission to be known as "The Commission to Revise and Codify the Building Laws of the State of Illinois," to be composed of seven members selected as follows: Two architects, one of whom shall be a member of the State Board of Examiners of Architects; two structural engineers, one fire protection expert, one building contractor and one member whose appointment need not be limited as above. The Governor shall appoint one member of said commission to act as chairman of the commission.

§ 2. The duties of said commission shall be to make such investigation into the subject of building laws in force in other states as it may deem necessary, and to consider all the laws in force in the State of Illinois bearing on that subject with the object in view of revising and codifying the laws of this State which pertain to the subject of buildings. In the report which such commission makes, as hereinafter provided, it shall recommend to the General Assembly such legislation as will properly regulate the construction, sanitation and protection from fire of all buildings of a public nature, or where large numbers of people shall congregate, such as hotels, theaters, schools, churches and other buildings for public assembly, department stores, factories, tenement houses, hospitals and buildings for charitable, penal and reformatory institutions, so that the greatest protection to health and safety to life and limb and property may be assured to the People of the State of Illinois. All printing and printing paper necessary for the purposes of said commission shall be and form a part of the State printing and printing paper contract, and as such shall be under the direction and supervision of the Board of Commissioners of State Contracts.



§ 3. To carry into effect the provisions of this Act the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated for clerical and stenographic services, for telegraphing, telephoning, postage, expressage, stationery and other incidental expenses of the commission and for the traveling expenses and disbursements of the members of the commission.

§ 4. The said commission shall make its report with such proposed legislation accompanying the same, to the Governor of this State on or before January 1, 1913.

§ 5. The Auditor of Public Accounts is hereby directed to draw his warrant for the moneys hereby appropriated upon the presentation of proper vouchers certified to as correct by said board and approved by the Governor and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 25, 1911.

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INVESTIGATIONS—COUNTY AND TOWNSHIP ORGANIZATION AND ROADS  
AND BRIDGES LAWS.

§ 1. Appropriates \$6,000—how certified. | § 2. How drawn.

(SENATE BILL No. 451. APPROVED JUNE 10, 1911.)

AN ACT to provide for the expenses of the committee heretofore authorized by Senate Joint Resolution No. 17, of the Senate and House of February 23, 1911, to be appointed to revise the laws pertaining to county and township organization and those pertaining to roads, highways and bridges, making an appropriation of six thousand dollars (\$6,000.00) therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* For the purpose of paying the expenses hereafter to be incurred by the joint committee to revise the laws relating to county and township organization and those relating to roads, highways and bridges, heretofore authorized to be appointed by joint resolution of the Senate and House of Representatives of the State of Illinois, which said joint resolution passed the Senate on February 24, 1911, and passed the House of Representatives on March 9, 1911, with amendments and was concurred in by the Senate on March 15, 1911, and for the purpose of paying the incidental expenditures connected with said revision, there is hereby appropriated for the use of said committee, the sum of six thousand dollars (\$6,000) or so much hereof as may be required. All expenditures of said committee shall be certified to by the chairman of the said committee and the Lieutenant Governor or the Speaker of the House of Representatives of the State of Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers so certified as aforesaid and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 10, 1911.

## INVESTIGATIONS—EDUCATIONAL BUILDING COMMISSION.

Preamble.

§ 1. Commission created.

§ 2. Plans and specifications—report to next General Assembly.

§ 3. Appropriates \$5,000—how drawn.

(SENATE BILL NO. 465. APPROVED MAY 26, 1911.)

AN ACT *to provide for the procuring of plans and specifications for a State educational building, to investigate and report on a suitable site for its location and for the appointment of commissioners, and to make an appropriation to defray the expense of the same.*

WHEREAS, The State of Illinois has a large and valuable collection of specimens, useful and necessary, in the scientific work being done by the citizens of this and other states and by our educational institutions; and,

WHEREAS, The State Historical Society represents the historical interests of the State, and has for its purpose the promotion and diffusion of historical knowledge and has a valuable collection relating to Illinois history; and,

WHEREAS, The State Historical Library constitutes the most important source of historical documents and is the repository for historical books of great value; and,

WHEREAS, The Memorial Hall for war relics contains flags, armor and relics of great historical interest; and,

WHEREAS, These collections are very necessary and useful in the study of Illinois history and constantly in danger of destruction by fire and are practically inaccessible where now stored; and,

WHEREAS, The Department of Public Instruction is at present inadequately housed and cared for; and,

WHEREAS, All these departments are closely related, and could, when placed side by side, contribute much to the advancement of science, literature, history, patriotism and education in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a commission consisting of the Governor, Secretary of State, Superintendent of Public Instruction, President of the Board of Trustees of the State Historical Library, President of the State Historical Society, Auditor of Public Accounts, and the Department Commander of the State G. A. R., is hereby constituted with full power to procure plans and specifications for a suitable State building, to be erected by the State where all the property pertaining to the history, science, literature, education and patriotism now housed in different departments of the State buildings may be placed.

§ 2. Said commission shall procure plans and specifications for a building, and shall take steps to procure a proper site for said building and the cost of the same, and report the facts to the General Assembly of Illinois at the next ensuing general session.

§ 3. In order to enable the commission to carry out the provisions of this Act, there is hereby appropriated the sum of five thousand dollars (\$5,000.00), and the Auditor of Public Accounts is hereby authorized and required to issue his warrant, or warrants, for all or any part of the amount appropriated upon vouchers signed by the Governor.

APPROVED May 26, 1911.

## INVESTIGATIONS—EMPLOYERS' LIABILITY COMMISSION.

Preamble—items.

§ 2. How drawn.

§ 1. Appropriates \$1,264.45.

(SENATE BILL NO. 484. APPROVED JUNE 7, 1911.)

AN ACT making an appropriation for the expense of certain persons acting as [a] voluntary commission carrying on and completing the work of a Commission created and appointed by virtue of an Act of the Legislature of the State of Illinois entitled, "An Act to create an employers' liability commission and making an appropriation therefor," approved March 4, 1910, the appropriation to pay the expenses of such commission having expired by operation of law on September 15, 1910.

WHEREAS, The Legislature of the State of Illinois did by an Act approved March 4, 1910, create a commission of twelve members to be appointed by the Governor, consisting of six employers of labor and six persons who should either be employes or known to represent the interests of workmen; and,

WHEREAS, Said Commission was duly appointed by the Governor and made its report to the Governor on the 15th day of September, 1910, as required by said Act, providing for its appointment, as aforesaid, and whereas the limited time given to the said commission for the investigation and report to be made by it was insufficient for it to entirely complete its work; and,

WHEREAS, All but two members of said commission so appointed as aforesaid voluntarily consented to continue the work of said commission until the convening of the session of the Forty-seventh General Assembly and have continued to act as such voluntary commission and have carried on and completed said work and prepared and had introduced in the Legislature a bill incorporating the conclusions of the commission arrived at after the investigation made and consideration of the questions involved; and,

WHEREAS, The continuance and completion of the work of said commission has involved some necessary expense on the part of the members of said commission so continuing and completing said work, which expenses has [have] been entailed by the members of said commission as follows:

## RAILROAD FARES AND HOTEL BILLS.

T. K. Ball .....	\$ 105.20
George F. Golden.....	52.90
Daniel J. Gorman.....	58.60
Patrick Carr.....	20.00
E. R. Wright.....	49.50
J. F. Morris.....	49.50

## CLERICAL WORK AND PRINTING.

Charles Piez (Stronberg & Allen, printing).....	67.75
Satterlee & Binns (stenographers).....	51.50

Legal services and expenses for commission as authorized by the commission and contracted for by its officers—

Charles Piez (attorney S. A. Harper).....\$ 681.50  
E. T. Bent (conference printing)..... 128.00

\$1,264.45

Therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand two hundred sixty-four dollars and forty-five cents be and the same is hereby appropriated to which have been contracted for or expended by them respectively for the expenses as aforesaid.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer, payable to the persons above named for the sums herein specified upon presentation of proper vouchers therefor, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 7, 1911.

#### INVESTIGATIONS—MINING COMMISSION.

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|--|---|
| § 1. Appointment of commission—composition—authority.          | § 4. Reports to Governor and General Assembly—termination of office |
| § 2. Subpœna of witnesses—attachment—contempt—fees—seal—rules. | § 5. Compensation—employés—expenses.                                |
| § 3. Meetings—organization—quorum—record.                      | § 6. Appropriates \$10,000—printing.                                |

(SENATE BILL NO. 486. APPROVED MAY 27, 1911.)

AN ACT to establish the Mining Investigating Commission of the State of Illinois, and prescribing its powers and duties and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a commission be established to be known as the Mining Investigation Commission of the State of Illinois, consisting of three coal mine owners and three coal miners appointed by the Governor, together with three qualified men, no one of whom shall be identified or affiliated with the interests of either of the mine owners or coal miners or dependent upon the patronage or good will of either, nor in political life, who shall be appointed by the Governor.

Each member of the said commission shall have equal authority, power and voting strength in considering and acting upon any matters which may be brought to the attention of the commission and on which the commission may act and the said commission shall have power and authority to investigate the methods and conditions of mining coal in the State of Illinois with special reference to the safety of human lives and property and the conservation of the coal deposits.



§ 2. In making an investigation as contemplated in this Act, said commissioners shall have the power to issue subpoenas for the attendance of witnesses, which shall be under the seal of the commission and signed by the chairman or secretary of said commission.

In case any person shall wilfully fail or refuse to obey such subpoena, it shall be the duty of the circuit court of any county, upon application of the said commissioners, to issue an attachment for such witness, and compel such witness to attend before the commissioners, and give his testimony upon such matters as shall be lawfully required by such commissioners; and the said court shall have the power to punish for contempt, as in other cases of refusal to obey the process and order of such court.

The fees of witnesses shall be the same as in the courts of record and shall be paid out of the appropriation hereinafter made. And upon order duly entered of record by the said commission any one or more members of the said commission shall be empowered to take testimony touching the matters within the jurisdiction of the said commission and report the same to the said commission. Said commission shall have power and are authorized to adopt a seal and to make such rules not inconsistent with or contrary to law for the government of proceedings before it, as it may deem proper and shall have the same power to enforce such rules and to preserve order and a quorum in its presence as is vested by the common law or statute of this State in any court of general jurisdiction.

§ 3. Said commission shall meet at the State Capitol building in Springfield on the second Tuesday after notice of their appointment and shall immediately elect a chairman and secretary from among their number, one of whom shall be a coal mine owner and the other a coal miner. Said commission shall cause a record to be kept of all its proceedings. Five members of the said commission shall constitute a quorum for the transaction of business, but a less number than a quorum may adjourn the meetings of the commission from time to time. Meetings of the said commission other than called meetings, as provided for herein, may be held at such times and places within the State of Illinois, as may be fixed by the said commission. A meeting of the said commission shall be held upon the written request of any three members of the said commission signed by them and delivered to the secretary, who shall, upon receipt of such request, notify each member of said commission by mail of such meeting so to be held, and the time and place thereof. And no such meeting shall be held less than five days after the mailing of notice of the said meeting to the members of said commission by the secretary. Such called meeting shall be held either in Springfield or Chicago.

§ 4. Said commission shall report to the Governor and to the General Assembly at its next regular session, submitting, so far as they have unanimously agreed, a proposed provision of coal mining laws of the State, together with such other recommendations as to the commission shall seem fit and proper, relating to coal mining in the State

of Illinois. And where there is not unanimous agreement upon any recommendations there shall be submitted in like manner separate reports embodying the recommendations of any one or more members of the said commission, which said reports shall each set forth in detail the recommendation of the commissioner or commissioners signing said report and shall embody his or their respective reasons for such recommendation and his or their objection to the report of other members of the commission. Upon the filing of the above mentioned reports, said reports to be made in the convening of the next General Assembly of recommendations and objections, the duties and functions of said commission shall cease and the terms of office of the respective commissioners shall terminate.

§ 5. The members of said commission who are coal mine owners and coal miners, as aforesaid, shall receive no compensation for their services. The remaining three members of the commission shall receive as compensation for their services the sum of \$10 per day for each [day] actually employed by them as such commissioners. All members of the said commission shall be reimbursed for their actual expenses incurred in and about the actual work of said commission.

Said commission may appoint a stenographer or clerk and such other employés as are necessary and shall fix their compensation and may incur such other expenses as are properly incidental to the work of the commission.

§ 6. The sum of ten thousand dollars (\$10,000.00), or as much thereof as may be necessary, is hereby appropriated for the postage, stationery, clerical and expert services, and incidental traveling expenses of the commission, and the per diem of members as herein authorized, and the Auditor of Public Accounts is hereby authorized to draw his warrant for the foregoing amount, or any part thereof, in payment of any expenses, charges or disbursements authorized by this Act, on order of this commission, signed by its chairman, attested by its secretary, and approved by the Governor.

The State Board of Contracts is hereby authorized and directed to provide all necessary printing for the mining investigation commission, and testimony taken by it shall be reported in full and may be published from time to time by the commission.

APPROVED May 27, 1911.

#### LIVE STOCK BREEDERS' ASSOCIATION.

- |                                      |                     |
|--------------------------------------|---------------------|
| § 1. Appropriates \$500 per annum.   | § 3. How drawn.     |
| § 2. No compensation to any officer. | § 4. Annual report. |

(HOUSE BILL NO. 423. APPROVED JUNE 5, 1911.)

#### AN ACT making an appropriation for the Illinois Live Stock Breeders' Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and hereby is, appropri-

ated to the Illinois Live Stock Breeders' Association the following sum, to-wit: For printing and distributing reports, programs, postage, stationery, expenses of speakers, etc., the sum of five hundred dollars (\$500.00) per annum for the years 1911 and 1912.

§ 2. No officer or officers of the Illinois Live Stock Breeders' Association shall be entitled to receive any money compensation whatever for any service rendered for the same.

§ 3. That on the order of the president, countersigned by the secretary of the Illinois Live Stock Breeders' Association and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois Live Stock Breeders' Association for the sum herein appropriated.

§ 4. It shall be the duty of the treasurer of the Illinois Live Stock Breeders' Association to pay out of said appropriation, on itemized and receipted vouchers, such sums as may be authorized by said organization, on the order of the president, countersigned by the secretary, and make annual report to the Governor of all expenditures, as provided by law.

APPROVED June 5, 1911.

#### LIVE STOCK COMMISSIONERS—BIOLOGICAL LABORATORY.

- |   |                 |
|---|-----------------|
| § 1. Appropriates \$3,000 to meet deficiency. | § 2. How drawn. |
|   | § 3. Emergency. |

(SENATE BILL NO. 147. APPROVED MARCH 20, 1911.)

AN ACT *making an appropriation to provide for a deficiency in the equipment of the State Biological Laboratory.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three thousand dollars (\$3,000) or so much thereof as may be needed, be and is hereby appropriated to meet a deficiency in the expenses for the equipment of the State Biological Laboratory.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants for the above amounts upon the State Treasurer, upon vouchers certified by the Board of Live Stock Commissioners, and approved by the Governor.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED March 20, 1911.

#### MILK PRODUCERS' INSTITUTE.

- § 1. Appropriates \$1,000.

(HOUSE BILL NO. 659. APPROVED MAY 29, 1911.)

AN ACT *to make an appropriation to the State Milk Producers' Institute. An Act to appropriate \$1,000 for the Milk Producers' Institute of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$500.00 per annum

for the years of 1911 and 1912 is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the use and benefit of said association, and the State Auditor is hereby authorized to draw his warrant for same and deliver to the treasurer of the Illinois State Milk Producers' Institute upon his presenting proper receipts therefor, certified by the president and secretary of said association, said amount to be used for the purpose of holding the annual convention and institute of said association and for the purpose of educating and instructing those interested in the economic and sanitary production of milk, and for such other purposes as in the judgment of the officers shall best subserve the interest of the Illinois State Milk Producers' Institute.

APPROVED May 29, 1911.

MINE INSPECTORS—EXPENSES, PROVISIONAL.

§ 1. Appropriates \$6,000 to meet deficiency.	§ 2. Emergency.
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(SENATE BILL NO. 40. APPROVED MAY 10, 1911.)

AN ACT to provide for a deficiency in the traveling and other expenses of the State inspectors of coal mines for the fiscal year ending June 30, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of six thousand dollars (\$6,000) or as much thereof as may be necessary, be, and is hereby appropriated for the purpose of meeting the traveling and other necessary expenses of the State inspectors of coal mines incurred in the discharge of their official duties, for the fiscal year ending June 30, A. D. 1911.

§ 2. WHEREAS, Said sum of money is immediately required, therefore, an emergency exists and this Act shall take effect from and after its passage.

APPROVED May 10, 1911.

MONUMENT—EDWARDSVILLE HISTORICAL.

Preamble.

§ 1. Appropriates \$5,000 for monument or memorial at Edwardsville.	§ 2. Commission created.
	§ 3. How drawn.

(SENATE BILL NO. 261. APPROVED MAY 25, 1911.)

AN ACT making an appropriation for constructing and erecting a suitable monument to commemorate the one hundredth anniversary of the inauguration of a representative form of government in the State of Illinois, by the election of the first legislature of the State of Illinois by the People of the State, the election of the delegate to Congress by popular vote; the establishing of the county of Madison, and designating the first seat of justice therein; the building of Fort Russell, and other historical incidents in the Territory of Illinois.

WHEREAS, The year 1912 will mark the completion of one hundred years of representative government in Illinois; the establishing of the



county of Madison, including the following bounds: Beginning on the Mississippi, to run with the second township line above Cahokia (near East St. Louis) east until it strikes the dividing line between Illinois and Indiana territories; thence with said dividing line to the line of Upper Canada; thence with said line to the Mississippi; and thence down the Mississippi to the beginning; and appointing the house of Thomas Kirkpatrick in Edwardsville, Illinois, to be the seat of justice of said county; and in said year the people of this commonwealth erected Fort Russell (near Edwardsville, Illinois), as a fort from which to conduct offensive and defensive operations in the war with Great Britain; and,

WHEREAS, These momentous events are of great interest to all the people of Illinois Territory and of the State of Illinois, and deserve proper official recognition by the State of Illinois; and,

WHEREAS, Steps are being taken for a centennial celebration of these historical events, and as the principal feature of such celebration it is desired that a monument be erected and dedicated to mark a century of progress of this great commonwealth as a reminder to future generations of the struggles, progress and results obtained by our sturdy forefathers; and,

WHEREAS, By reason of the fact that the first seat of justice of Madison county was located and is still retained at Edwardsville, Illinois, and the first Territorial Governor, Honorable Ninian Edwards, who designated said county, and Governor Edward Coles were residents of said city of Edwardsville, and said city is the logical location for such a memorial; and,

WHEREAS, On September 14, 1912, a century will have gone by, and as yet no fitting memorial has been established to mark, commemorate and perpetuate these important historical events; therefore, the following is proposed:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary to be expended in the construction, erection and dedication of a suitable monument to commemorate the one hundredth anniversary of the inauguration of a representative form of government by the election of a legislature by the people; the election of the first delegate to Congress by popular vote; the establishment of the county of Madison, and the seat of justice therein, and the erection of Fort Russell, as a base of military operation in the War of 1812; said monument or memorial to be erected on the site of the first seat of justice of Madison county, in the city of Edwardsville, Illinois, or at some other suitable place in said city.

§ 2. The design, construction, erection and dedication of said monument shall be under the direction and supervision of a commission consisting of the Governor, Lieutenant-Governor, Secretary of State, and the President and Secretary of the Illinois State Historical Society and the Secretary of the Board of Administration of the State of Illinois.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers duly certified to by a majority of the commission as provided in section two hereof and approved by the Governor, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED May 25, 1911.

MONUMENT—GENERAL MICHAEL KELLY LAWLER, EQUALITY.

Preamble.

§ 3. Appropriates \$5,000.

§ 1. Appointment of commissioners.

§ 4. How drawn.

§ 2. Powers of commission—report.

(SENATE BILL NO. 212. APPROVED MAY 26, 1911.)

AN ACT *providing for the appointment of commissioners and making an appropriation for the construction of a monument in memory of Michael Kelly Lawler in Equality, Gallatin county, Illinois.*

WHEREAS, Gen. Michael Kelly Lawler, a pioneer of the State of Illinois who settled in Equality in 1827, and who during his lifetime rendered valued and heroic services to the State as commander of the Third Regiment of Illinois Volunteers, and was active in service at the siege of Vera Cruz and the battle of Cerro Gordo, and other places in the Mexican war rendering to his country noble and heroic services which rounded to the honor of the State of Illinois; and,

WHEREAS, In the Civil war he was designated by the lamented Governor Richard Yates to command a regiment in Illinois, which act supplemented the first call of the President for three years' service in the Civil war; and,

WHEREAS, He again displayed marked heroism in the Union army at Columbus, Kentucky; Fort Henry, in Tennessee; Fort Donaldson, Shiloh and other places famous in history;

WHEREFORE, the following is proposed:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor be, and he is hereby authorized and empowered to appoint three commissioners who shall act without compensation, and whose duty it shall be to obtain suitable ground in a public square in the city of Equality, county of Gallatin, State of Illinois, for the purpose of constructing a suitable memorial in the form of a statue with proper inscription, and to erect such statue to the memory and in honor of the late Gen. Michael Kelly Lawler, a hero of the Mexican and Civil wars.

§ 2. The said commission shall be empowered to expend a reasonable sum for all necessary material in connection with the obtaining of the statue and subject to approval as hereinafter provided. Said commissioners shall make report to the Governor of all their acts under this Act.

§ 3. For the purposes of carrying out the provisions of this Act, the sum of five thousand dollars (\$5,000), or so much thereof as shall

be necessary, is hereby appropriated to pay the cost and expenses of preparing the ground, the work and the construction and material of said monument. Said commissioners are hereby authorized and empowered to employ a competent person or persons to prepare and furnish the necessary detail for said work, and to pay such person or persons not to exceed ten dollars per day for each day necessarily and actually employed in the performance of such duty, and to employ such person or persons to furnish material and to do all other necessary work to carry out the provisions of this Act and to contract for the furnishing of said material.

§ 4. The Auditor of Public Accounts is hereby authorized and empowered and directed to draw warrants on the State Treasurer for the payment of all expenditures necessary to carry out the provisions of this Act upon presentation to him of proper vouchers therefor, certified to by the said commissioners and by and with the approval of the Governor.

APPROVED May 26, 1911.

#### MONUMENT—KENESAW MOUNTAIN.

Preamble.

§ 2. Appointment of commissioners.

§ 1. Appropriates \$20,000 for erection.

§ 3. How drawn.

(HOUSE BILL NO. 251. APPROVED JUNE 9, 1911.)

AN ACT *making an appropriation for the erection of a monument on the battlefield of Kenesaw Mountain, Georgia.*

WHEREAS, The Third Brigade, Second Division of the Fourteenth Army Corps, together with other troops, made a charge upon the Confederate intrenchments at Kenesaw Mountain, Georgia, on the 27th day of June, 1864; and,

WHEREAS, Said charge was a most desperate one and probably unparalleled in history; and,

WHEREAS, Said Third Brigade was largely composed of Illinois troops, conspicuous for their courage and gallantry; and,

WHEREAS, A corporation has been organized and incorporated under the laws of the State of Illinois, for the purpose of the erection of a suitable monument to the memory of the men of said brigade who died on that bloody field; and,

WHEREAS, Said corporation is known as the "Kenesaw Memorial Association" and has purchased and now owns the land upon which said charge was made and intends to convey same to the Federal government to be perpetuated as a public park; and,

WHEREAS, It is a patriotic duty for the people of this State to keep in perpetual remembrance the heroism of our fallen soldiers.

SECTION 1. *Now, therefore, be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Kenesaw Memorial Association, the sum of twenty thousand dollars (\$20,000.00) to be used for the erection of a monument on the battlefield of Kenesaw Mountain, Georgia, to the memory of the Illinois soldiers who died there on the 27th day of June, 1864.

§ 2. That for the purpose of carrying out the provisions of this Act, the Governor shall appoint three officers of the Kenesaw Memorial Association, who shall be commissioners and shall make full report to the Governor of their acts and doings hereunder, who shall receive no compensation for their services.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the Treasurer, on the presentation of proper vouchers certified by said commissioners and approved by the Governor, to the full amount of this appropriation.

APPROVED June 9, 1911.

NATIONAL GUARD AND NAVAL RESERVE—ARMORY AT CHICAGO,  
REPAIRS.

§ 1. Appropriates \$7,212.53.

§ 2. How drawn.

(HOUSE BILL No. 72. APPROVED JUNE 7, 1911.)

AN ACT *making an appropriation for the purpose of making miscellaneous repairs and for expense of correcting defects in the electric wiring system of the armory of the First Infantry, Illinois National Guard.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of seven thousand two hundred twelve dollars and fifty-three cents (\$7,212.53) is hereby appropriated to pay for making repairs and for expense of correcting the defects in electric wiring system of the First Regiment Armory, located at 16th street and Michigan avenue, Chicago, Illinois, to make the same conform to the rules of the Chicago Board of Underwriters and with the Department of Electricity of the city of Chicago.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED June 7, 1911.

NATIONAL GUARD AND NAVAL RESERVE—ARMORY BUILDINGS AND  
SITES.

§ 1. Commission named.

§ 2. Organization of commission.

§ 3. Selection of sites—location—title deeds.

§ 4. Supervision of erection and construction.

§ 5. Appropriates \$395,000 for armories at Chicago, Quincy, Aurora, and Woodstock.

§ 6. How drawn.

(HOUSE BILL No. 264. APPROVED JUNE 9, 1911.)

AN ACT *in relation to procuring of sites and for the erection of armory buildings for the use of the Illinois National Guard and Illinois Naval Reserve, and making an appropriation therefor.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a commission, consisting of the



Adjutant General, division commander and the regimental commanders of the organizations for which armories are to be erected, as hereinafter provided for in this Act, is hereby constituted, with full power to carry out the provisions of this Act, as hereinafter set forth.

§ 2. It shall be the duty of the commission named in section 1 of this Act to meet and organize, as soon as practicable after the taking effect of this Act by electing out of their number a president and another secretary.

§ 3. It shall be the duty of said commission to select suitable sites, and procure, in the name of the State of Illinois, title to each of the sites so selected, for the erection of armories for the use of the following respective organizations of the Illinois National Guard and Illinois Naval Reserve, viz:

- (1) Second Infantry, Chicago.
- (2) Company F, Fifth Infantry, Company I, Eighth Infantry, and the Illinois Naval Reserve, Quincy.
- (3) Headquarters, Company D, and Company I, Third Infantry, Aurora.
- (4) Company G, Third Infantry, Woodstock.
- (5) Eighth Infantry, Chicago.

All title deeds shall be filed in the office of the Secretary of State.

§ 4. After said commission shall have selected sites for the erection of the respective armories above provided for in section 3 of this Act, and acquired, in the name of the State of Illinois, title to such respective sites so selected, it shall be the duty of said commission to exercise the general management, control and supervision of all matters pertaining to the erection and construction of said armories, and shall make and let all contracts necessary fully to construct, build and erect such armories.

§ 5. In order to carry out the provisions of this Act there is hereby appropriated the following sums for securing sites and for the erection of the respective armories, that is to say:

(1)	For the Second Infantry, Chicago.....	\$200,000.00
(2)	For Company F. Fifth Infantry, Company I, Eighth Infantry, and the Illinois Naval Reserve, Quincy..	45,000.00
(3)	For the headquarters, Company D, and Company I, Third Infantry, Aurora.....)	35,000.00
(4)	For Company G. Third Infantry, Woodstock.....	15,000.00
(5)	For the Eighth Infantry, Chicago.....	100,000.00

Total .....\$395,000.00

§ 6. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums herein specified upon the presentation of proper vouchers, certified to by the Adjutant General, and approved by the Governor, and the Treasurer shall pay the same out of any moneys not otherwise appropriated.

APPROVED June 9, 1911.

## NATIONAL GUARD AND NAVAL RESERVE—ORDINARY AND CONTINGENT.

§ 1. Appropriates \$389,917 per annum  
for items specified—\$50,000 as  
emergency fund. | § 2. How drawn.

(HOUSE BILL No. 16. APPROVED MAY 27, 1911.)

AN ACT to provide for the ordinary and contingent expenses of the Illinois National Guard and the Illinois Naval Reserve.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That three hundred eighty-nine thousand nine hundred seventeen dollars (\$389,917.00) per annum, or so much thereof as may be necessary, is hereby appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve.

Transportation, subsistence, camp pay, officers and men under orders.....	\$167,917.00
Horse hire and forage.....	15,000.00
Medical supplies, fuel for camp, coal for steaming Dubuque, naval supplies, general expenses, engine room repairs and supplies .....	7,500.00
Inspection of companies at home stations, boards of examiners, survey and court martial.....	6,000.00
Lighting camp, laundering bed sacks and blankets, telephones, general repairs and incidentals.....	3,500.00
Target practice, ammunition, transportation, repairs and general expense on rifle range.....	37,500.00
Civilian employes.....	10,000.00
Horses for drills.....	7,000.00
Armory rents, water, light, fuel, janitor service, incidentals necessary to maintenance of armories.....	130,000.00
Miscellaneous expenditures.....	5,500.00
Total .....	\$389,917.00

That the further sum of fifty thousand dollars (\$50,000.00) is hereby appropriated as an emergency fund to be used by the Governor in case of emergency when the Illinois National Guard or Illinois Naval Reserve are called into active duty by the Governor to protect the life and property of the citizens of the State. No portion of said sum shall be expended or paid except upon the express order of the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 27, 1911.

## NATIONAL GUARD AND NAVAL RESERVE—UNIFORMS, ETC.

§ 1. Appropriates \$11,534.30 for uniforms, etc. | § 2. How drawn.

(HOUSE BILL NO. 17. APPROVED JUNE 5, 1911.)

AN ACT to provide for the purchase of pea jackets, dress and service uniforms and other equipment for the Illinois National Guard and Illinois Naval Reserve.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eleven thousand five hundred thirty-four [dollars] and thirty cents (\$11,534.30), or so much thereof as may be necessary, is hereby appropriated to pay for the manufacture and purchase of pea jackets, uniforms and overcoats for the Illinois National Guard and Illinois Naval Reserve.

500 Naval Reserve white and blue uniforms.....	\$5,000.00
300 Naval Reserve pea jackets.....	3,000.00
238 Overcoats .....	3,534.30

Total.....\$11,534.30

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED June 5, 1911.

## NAVAL MILITIA—TORPEDO BOATS.

§ 1. Appropriates \$5,015 for expenses of voyage. | § 2. How drawn—emergency.

(SENATE BILL NO. 85. APPROVED MAY 6, 1911.)

AN ACT to provide for the expenses of the voyage of torpedo boats from Charleston, S. C., to their destination in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That five thousand fifteen dollars (\$5,015.00) or so much thereof as may be necessary, is hereby appropriated to pay the expenses of the voyage of any torpedo boats from Charleston, S. C., to their destination in the State of Illinois.

Transportation, Chicago to Charleston, 25 men and 3 officers.	\$ 980.00
Subsistence, 28 officers and men, 6 weeks .....	588.00
Pilotage (some places compulsory) .....	300.00
Pay of officers and men .....	2,047.00
Coal .....	600.00
Miscellaneous expenses .....	500.00

Total .....\$5,015.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

WHEREAS, An emergency exists, therefore, this Act shall be in force from and after the date of its passage and approval.

APPROVED May 6, 1911.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION—EXHIBIT.

§ 1. Governor appointed as commissioner—powers and duties.

§ 2. Appropriates \$2,500—how drawn.

(SENATE BILL NO. 279. APPROVED MAY 31, 1911.)

AN ACT *creating a commission to have charge of installing and maintaining an exhibit of the products and resources of the State of Illinois at the Panama-Pacific International Exposition, and appropriating money to pay the expenses thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor of the State of Illinois is hereby appointed a commissioner to be known as the Panama-Pacific International Exposition Commissioner, for the purpose of installing, maintaining and exhibiting the products and resources of this State at an International Exposition to be held in the city of San Francisco, in the year 1915, known as the Panama-Pacific International Exposition, and as such commissioner he shall have full and exclusive charge and control of said exhibit, and the maintenance and installation thereof, with power to appoint and employ deputy commissioners, and all other persons necessary for the purpose of carrying out the provisions of this Act, upon such terms and salaries as he shall deem to be fair and reasonable.

The Governor shall receive no compensation for his services, but shall receive his actual expenses incurred in the discharge of his duties in connection with said Exposition.

§ 2. The sum of twenty-five hundred dollars (\$2,500.00), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated for the purpose of paying the expenses of said commissioner and any deputy or commissioner appointed by him to visit the Panama-Pacific Exposition site in the city of San Francisco, California, and select a location for a State building in which to properly house and exhibit the products of this State at said exposition and for such other expenses as may be properly incurred in carrying out the provisions hereof, and the State Auditor is hereby directed to draw his warrant on the general fund from time to time for such portions of said twenty-five hundred dollars (\$2,500.00), and in favor of such persons as the Governor of the State shall designate, and the State Treasurer is hereby directed and empowered to pay the same.

APPROVED May 31, 1911.



## PENAL AND REFORMATORY—NEW PENITENTIARY AND ASYLUM.

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|--|--------------------------------------|
| § 1. Re-appropriates \$500,000.                                | § 3. Repeals section 2, Act of 1909. |
| § 2. Appropriates \$100,000 for plans, surveys, drainage, etc. | § 4. Commission to take possession.  |

(SENATE BILL No. 498. APPROVED JUNE 7, 1911.)

*AN ACT making an appropriation for the acquisition of land, and matters incidental and pertaining thereto, for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Joliet, and repealing a part of a certain Act therein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That five hundred thousand dollars (\$500,000.00) or so much thereof as may be necessary, of the sum heretofore appropriated by an Act entitled, "An Act making an appropriation for the acquisition of land for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Joliet, and making an appropriation therefor," approved June 5, 1907, in force July 1, 1907, as amended by an Act approved June 11, 1909, in force July 1, 1909, and remaining unexpended at the expiration of the first fiscal quarter after the adjournment of the Forty-seventh General Assembly, and not otherwise appropriated, is hereby re-appropriated for the purposes expressed in said Acts to be paid out of the State treasury for said purposes, and in the manner in said Acts provided. The appropriation herein provided for shall be used in addition to the purchase of land as herein specified, for the drainage of said land, the construction of necessary railroad tracks to the proposed site or temporary stockades and such matters as are incidental and appurtenant thereto.

§ 2. That in addition to the sum heretofore appropriated by section 1 of this Act, the further sum of one hundred thousand dollars (\$100,000.00), or so much thereof as may be necessary, is hereby appropriated out of any moneys not otherwise appropriated, which shall be used for the purpose of the preparation and completion of plans, specifications, estimates for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and surveys in and appertaining to the land, the drainage of said land and other necessary matters incidental thereto, as provided in section 1 of this Act, and the said plans and specifications be submitted to the Forty-eighth General Assembly for its approval.

§ 3. The appropriation provided for in section 2 of an Act entitled, "An Act making an appropriation for the acquisition of land for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminal[s], and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Joliet," approved June 11, 1909, in force July 1, 1909, is hereby declared lapsed, and the same is hereby repealed.

§ 4. At any time after the purchase and acquisition of the land provided for in this Act, the commission appointed under and by virtue of an Act entitled, "An Act creating a commission and providing for the acquisition of land for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Joliet, and making an appropriation therefor," approved June 5, 1907, in force July 1, 1907, shall take immediate possession of such land or lands or property or properties, as soon thereafter as purchased and acquired and taken by said commission for the purposes set forth in this Act.

APPROVED June 7, 1911.

PENAL AND REFORMATORY—SOUTHERN PENITENTIARY.

§ 1. Appropriates \$195,000 per annum for ordinary expenses and \$80,700 for purposes specified.	§ 2. How drawn.
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(SENATE BILL NO. 153. APPROVED MAY 25, 1911.)

AN ACT *making appropriations for the Southern Illinois Penitentiary at Chester.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be, and the same are, hereby appropriated to the Southern Illinois Penitentiary at Chester, for the purposes hereinafter named:

For ordinary expenses of the penitentiary and for the expenses of the commissioners and officers, for the two years ending June 30, 1913, \$195,000 per annum; for maintaining library and furnishing chapel, \$350.00 per annum; for expenses enforcing parole law, \$5,000.00 per annum; for repairs and refurbishing, \$5,000.00 per annum; for re-roofing cell houses and re-plumbing warden house, \$10,000.00; for a new electric light and power plant, \$30,000.00; for improvements and additions to the stone department, \$20,000.00.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants upon the State Treasurer for the moneys herein appropriated, upon the order of the board of commissioners of said penitentiary, attested by its secretary with the seal of the institution attached, and approved by the Governor.

APPROVED May 25, 1911.

PENAL AND REFORMATORY—STATE PENITENTIARY.

§ 1. Appropriates \$300,000 per annum—how drawn.

(SENATE BILL NO. 492. APPROVED JUNE 9, 1911.)

AN ACT *to make appropriation for ordinary and other expenses of the Illinois State Penitentiary at Joliet.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so

much thereof as may be necessary, be, and the same are hereby appropriated to the Illinois State Penitentiary at Joliet, for the purposes hereinafter named and no other:

For ordinary expenses and for the expenses of the commissioners and officers, for the year ending June 30, 1912.....	\$265,000
For ordinary expenses and for the expenses of the commissioners and officers for the year ending June 30, 1913.....	265,000
For meeting the expenses of maintaining and operating the parole system, the sum of ten thousand dollars per annum.	20,000
For painting, relaying floors, renewing roofs and walls of buildings, renewing and rebuilding steam and water pipes, engines, boilers and machinery, and to make such other repairs and renewals as may be required to keep said prison plant in ordinary repair, the sum of \$25,000 per annum....	50,000

The Auditor of Public Accounts is hereby authorized to draw his warrant upon the Treasurer of the State for the moneys hereinbefore appropriated, upon the order of the Board of Commissioners of said penitentiary, signed by the president and attested by the secretary, with the seal of the institution attached, and approved by the Governor.

APPROVED June 9, 1911.

#### PENAL AND REFORMATORY—STATE REFORMATORY.

- § 1. Appropriates \$180,000 per annum for ordinary expenses and \$61,400 for purposes enumerated. | § 2. How drawn.

(SENATE BILL NO. 31. APPROVED MAY 25, 1911.)

AN ACT to make appropriations for ordinary and other expenses of the Illinois State Reformatory at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be, and the same are hereby appropriated to the Illinois State Reformatory, at Pontiac, for the purposes hereinafter named and no other:

For ordinary expenses of the reformatory and expenses of the board of managers for the year ending June 30, 1912.....	\$180,000
For ordinary expenses of the reformatory and expenses of the board of managers for the year ending June 30, 1913.....	180,000
For maintaining parole system, \$10,000 per annum.....	20,000
For maintenance of electric lights, telephone, telegraph and fire alarm system, and purchase of two hot water heaters and one new switchboard .....	2,000
For material for trade school instruction, \$2,500 per annum..	5,000
For school books for inmates, school seats, desks, charts, reference books, etc., and the purchase of books for the library, \$1,250 per annum .....	2,500

For the repair of farm buildings, building two new silos, building one new root house, and the purchase of additional cows and horses .....	\$ 2,500
For maintenance and extension of Manual Training School, \$5,000 per annum .....	10,000
For lectures, entertainments, concerts, etc., \$500 per annum..	1,000
For completing the construction of the wall, started in 1910, around the institution to take the place of the old board fence now in use, the sum of .....	13,000
For general repairs and improvements and fitting up the inmates' bathroom in north cell house, \$2,500.00 per annum.	5,000
For maintenance of Y. M. C. A., \$200 per annum.....	400

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the amounts herein appropriated quarterly, in advance, in so far as it relates to the appropriations for ordinary expenses, upon the order of the board of managers of said reformatory, signed by the president and attested by the secretary, with the seal of the institution and the approval of the Governor thereto attached: *Provided*, that no part of such sums shall be due and payable to said institution until a detailed statement of receipts from all sources, together with a detailed statement of the expenditures accompanied by the original vouchers, is filed with the Auditor of Public Accounts for all previous expenditures incurred and such detailed statement of receipts and expenditures shall show the balance on hand at the beginning of the period for which such statement is made, the total amounts received and expended, and the balance on hand at the close of the quarter for which the same is made, and the Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sum hereby appropriated for special purposes, upon the order of the board of managers, when accompanied by itemized bills of particulars, signed by the president and attested by the secretary, with the seal of the institution and approval of the Governor thereto attached, certifying that the expenditures mentioned in said bills of particulars have been made and that the amount is due and payable.

APPROVED May 25, 1911.

PORTRAIT OF LAWRENCE Y. SHERMAN.

§ 1. Appropriates \$500.

| § 2. How drawn.

(SENATE BILL No. 326. APPROVED APRIL 28, 1911.)

AN ACT to make an appropriation for the painting of a portrait of former Lieutenant Governor Lawrence Y. Sherman.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated the sum of five hundred dollars (\$500.00) for the purposes of



a painting of the portrait of former Lieutenant Governor Lawrence Y. Sherman, such portrait to be placed in a frame and hung in an appropriate position in the office of the President of the Senate.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the treasury [Treasurer] for the sum herein appropriated, payable out of any money in the treasury not otherwise appropriated, upon the order of the President of the Senate on proper vouchers duly certified to by him.

APPROVED April 28, 1911.

#### POULTRY ASSOCIATION.

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|---|------------------------------|
| § 1. Appropriates \$1,000 per annum.      | § 3. How drawn.              |
| § 2. No moneyed compensation to officers. | § 4. Vouchers—annual report. |

(HOUSE BILL No. 282. APPROVED MAY 25, 1911.)

AN ACT *making an appropriation for the Illinois State Poultry Association.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand dollars (\$1,000.00) per annum for the years 1911 and 1912 be and is hereby appropriated out of any money in the State treasury not otherwise appropriated, for the use and benefit of the Illinois State Poultry Association; said amount to be used for the purpose of assembling and advertising the annual show, paying premiums, providing uniform coops, and defraying the preparatory and other expenses of the annual meeting and show.

§ 2. No officer or officers of the Illinois State Poultry Association shall be entitled to or receive any moneyed compensation whatever for any service rendered for the same.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrant for the same and deliver it to the treasurer of the Illinois State Poultry Association, upon his presenting proper itemized vouchers therefor, certified to by the president and secretary of said association under seal of such corporation.

§ 4. It shall be the duty of the treasurer of the Illinois State Poultry Association to pay out of said appropriation on itemized and receipted vouchers such sums as may be authorized by a vote of the directors of said organization on the order of the president, countersigned by the secretary, and make annual report to the Governor of all expenditures as provided by law.

APPROVED May 25, 1911.

## RELIEF—BERTHROL C. B. JORGENSEN.

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| <p>§ 1. Appropriates \$500.</p> <p>§ 2. Appropriates \$7,500 for care, training, education, etc.</p> | <p>§ 3. Board of Administration to expend—report.</p> <p>§ 4. How drawn.</p> <p>§ 5. Emergency.</p> |
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(SENATE BILL NO. 490. APPROVED JUNE 5, 1911.)

AN ACT for an appropriation for relief of Berthrol C. B. Jorgensen.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Auditor of Public Accounts be and he is hereby directed to draw his warrant on the State Treasurer in favor of Berthrol C. B. Jorgensen for the sum of five hundred dollars (\$500.00); the said sum to be paid out of any moneys in the said State treasury not otherwise appropriated.

§ 2. That the further sum of seven thousand five hundred dollars (\$7,500.00) be and is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the care, training, education, support and medical attention of the said Berthrol C. B. Jorgensen.

§ 3. It shall be the duty of the Board of Administration to pay said sum of seven thousand five hundred dollars (\$7,500.00) herein appropriated to the said Berthrol C. B. Jorgensen for his education, care, keeping, support and medical attention in such manner and at such times and in such amounts as in its judgment will best serve the interests of the said Berthrol C. B. Jorgensen; the said Board of Administration shall hold said sum of money, except such payments as may be paid, as above directed, for a period of five (5) years; at the expiration of said five (5) years, the remainder of said sum in possession of the said Board of Administration shall be paid to the said Berthrol C. B. Jorgensen; the said board shall, when its duties under this Act shall have been fully discharged, make a full and detailed report to the Governor as to the manner in which said moneys have been distributed.

§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the said sum of seven thousand five hundred dollars (\$7,500.00) payable to the said Board of Administration upon a requisition signed by the said board and attested by its seal, and the Treasurer is authorized to pay the same out of any moneys on hand not otherwise appropriated.

§ 5. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect from and after its passage.

APPROVED June 5, 1911.

## RELIEF—FRANK J. McQUERN, CONCRETE WORK.

Preamble.

§ 2. How drawn.

§ 1. Appropriates \$900.

(SENATE BILL NO. 211. APPROVED MAY 26, 1911.)

AN ACT *to make an appropriation to pay Frank McQuern for concrete work done at the Supreme Court building.*

WHEREAS, Frank McQuern entered into a contract with the People of the State of Illinois through its commissioners, Charles S. Deneen, Governor of the State of Illinois, J. S. McCullough, Auditor of State, James H. Cartwright, Justice of the Supreme Court of said State, approved by Carbys Zimmerman, architect for the State, to furnish the material and perform the work for certain concrete walks and steps at the Supreme Court building of the State of Illinois; and,

WHEREAS, Said Frank McQuern did perform said work substantially in accordance with the terms of said contract; and,

WHEREAS, The appropriations therefor lapsed before payment was made, therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the payment of concrete work done at the Supreme Court building in the city of Springfield under contract dated the first day of October, 1907, the sum of nine hundred dollars, to be paid to Frank McQuern out of any moneys in the treasury not otherwise appropriated.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum herein specified payable to Frank McQuern upon the presentation of proper voucher therefor, and the State Treasurer is hereby directed to pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED May 26, 1911.

## RELIEF—SALARY OF GUY C. SCOTT.

Preamble.

§ 2. How drawn.

§ 1. Appropriates \$2,448.41 to widow.

(HOUSE BILL NO. 116. APPROVED APRIL 4, 1911.)

AN ACT *making an appropriation to Jessie Scott for the unpaid salary of Guy C. Scott, late Justice of the Supreme Court of Illinois.*

WHEREAS, By Joint Resolution No. 30, of the Forty-sixth General Assembly, it was resolved to appropriate to the widow of the late Justice Guy C. Scott, the salary which would have accrued to the said Justice Guy C. Scott from the date of his death until the time of the election and qualification of his successor;

WHEREAS, The Auditor of Public Accounts is not authorized to draw a warrant on the State Treasurer in compliance with the aforesaid resolution for the payment of the salary of the said Guy C. Scott from the date of the death of the said Guy C. Scott until the qualification of his successor in office; now, therefore, the following is proposed:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand four hundred and forty-eight dollars and forty-one cents (\$2,448.41), the amount found to be due under Joint Resolution No. 30, adopted by the Forty-sixth General Assembly, be and the same is hereby appropriated to Jessie Scott, widow of said late Justice Guy C. Scott, for the payment of the salary of said Guy C. Scott from the 24th day of May, 1909, to the first day of October, 1909.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer in favor of Jessie Scott for the sum hereby appropriated.

APPROVED April 4, 1911.

RELIEF—SALARY OF ROBERT W. WRIGHT.

Preamble.

§ 1. Appropriates \$2,500—how drawn.

(HOUSE BILL NO. 20. APPROVED MARCH 20, 1911.)

AN ACT to make an appropriation providing for the balance of the salary of the late Robert W. Wright, deceased, late circuit judge of the seventeenth judicial circuit in the State of Illinois, and appropriating salary to the estate of said Robert W. Wright up to the 31st day of March, 1911.

WHEREAS, Robert W. Wright, of the city of Belvidere, Boone county, Illinois, departed this life on or about the 29th day of November, A. D. 1910, and at the time of his decease was a circuit judge, elected and qualified, in the seventeenth judicial circuit, in the State of Illinois; and,

WHEREAS, The salary of the said Robert W. Wright, as circuit judge, at the time of his decease had been drawn to the 30th day of September, A. D. 1910, only; and,

WHEREAS, A special election has been called to fill the vacancy of circuit judge in the seventeenth judicial circuit of said State caused by the death of the said Robert W. Wright, upon the 4th day of April, A. D. 1911, and said office will remain vacant until the date of said election. Now, therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of twenty-five hundred dollars (\$2,500.00) be and is hereby appropriated for the payment of the salary of the said Robert W. Wright, deceased, from the 30th day of September, A. D. 1910, up to the time of his death and until the 31st day of March, A. D. 1911, and that the same be paid to Ida B. Wright, executrix, or to the administrator or executor of the estate of said Robert W. Wright, deceased, and that the Auditor shall draw his warrant on the State Treasurer in favor of the said Ida B. Wright, executrix, or the administrator or executor of the estate of said Robert W. Wright, deceased, out of any moneys in the State treasury heretofore appropriated for that purpose and hereby appropriated.

APPROVED March 20, 1911.



## RELIEF—SALARY OF THOMAS H. DONOGHUE.

§ 1. Appropriates \$2,000.

| § 2. Emergency.

(HOUSE BILL No. 652. APPROVED MAY 18, 1911.)

*AN ACT making an appropriation for the payment of the salary of Representative Thomas H. Donoghue, member of the 47th General Assembly, elected to fill vacancy at a special election.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated the sum of two thousand dollars (\$2,000) for the payment of the salary of Thomas H. Donoghue, a member of the 47th General Assembly from the 25th Senatorial district, elected at a special election held April 15, 1911, to fill vacancy caused by the death of Frank C. Burke, to be paid during the regular session of the General Assembly in the year 1911.

§ 2. WHEREAS, The above appropriation is necessary for the transaction of the business of the State, therefore, an emergency exists, and this Act shall take effect from and after its passage.

APPROVED May 18, 1911.

## STATE CONTRACTS—BINDING, DEFICIENCY.

§ 1. Appropriates \$10,000 to meet deficiency.

| § 2. How drawn.

| § 3. Emergency.

(HOUSE BILL No. 522. APPROVED MAY 29, 1911.)

*AN ACT making an appropriation to meet the deficiency in the appropriation for the payment of public binding under contract by the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$10,000 be, and is hereby appropriated to the Board of Commissioners of State Contracts to meet the deficiency in the appropriation for the public binding of the State for the period ending September 30, 1911.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sum herein specified upon presentation of vouchers certified to by the Board of Commissioners of State Contracts, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, The appropriation above recited is necessary for the immediate payment of bills now due and the transaction of the business of the State, therefore, an emergency exists, and this Act shall be in force and take effect from and after its passage.

APPROVED May 29, 1911.

## STATE CONTRACTS—PAPER AND STATIONERY, DEFICIENCY.

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|--|-----------------|
| § 1. Appropriates \$40,000 to supply deficiency. | § 2. How drawn. |
|  | § 3. Emergency. |

(HOUSE BILL NO. 15. APPROVED FEBRUARY 27, 1911.)

AN ACT *making an appropriation to meet a deficiency in the appropriation to the Board of Commissioners of State Contracts for the purchase of printing paper and stationery.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of forty thousand dollars (\$40,000), or so much thereof as shall be necessary, be and the same is hereby appropriated to the Board of Commissioners of State Contracts to supply a deficiency in the appropriation for the purchase of printing paper and stationery until the expiration of the first fiscal quarter after the adjournment of this session of the General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sum herein appropriated, said warrants to be drawn only on itemized bills, signed by said Board of Commissioners of State Contracts, and the State Treasurer is hereby directed to pay said warrants, drawn as aforesaid, out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall be in force from and after its passage and approval.

APPROVED February 27, 1911.

## STATE GOVERNMENT—GENERAL EXPENSES.

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|---|--|
| <p>§ 1. Makes appropriations for ordinary and contingent expenses as follows:</p> <ol style="list-style-type: none"> <li>1. GOVERNOR—Contingent fund, \$5,000 per annum.</li> <li>2. Secretaries, clerks, stenographers, messenger and janitor, \$12,000 per annum.</li> <li>3. Department and institution auditor, assistant and expenses, \$6,700 per annum.</li> <li>4. Postage, expressage, telegraphing, expenses, etc., \$8,000 per annum.</li> <li>5. Executive mansion: Incidentals, \$18,000 per annum; repairs, etc., \$5,100.<br/>Executive offices: Repairs, etc., \$3,000.<br/>Illinois Central Railroad investigation: Unexpended balance.</li> <li>6. LIEUTENANT GOVERNOR—Clerical hire and incidentals, \$3,400 per annum.</li> </ol> | <ol style="list-style-type: none"> <li>7. SECRETARY OF STATE—Clerks, stenographers, janitors, police, porters, messengers, other employes, postage, expressage and incidentals, \$135,860 per annum.</li> <li>8. Fuel, repairs and incidentals for buildings, \$12,000 per annum.</li> <li>9. Supreme court reports, \$5,000 per annum.</li> <li>10. Flags, \$200.</li> <li>11. State library: Books, salaries and incidentals, \$10,200 per annum.</li> <li>12. Copying laws, etc., \$300; expressage and postage, \$2,000 per annum.</li> <li>13. State Mine Inspectors' instruments, \$1,000.</li> <li>14. Blue book, \$2,000; automobile supplies, examiners of chauffeurs, etc., \$40,000 per annum.</li> </ol> |
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STATE GOVERNMENT—GENERAL EXPENSES—*Continued.*

15. Filing cases, \$9,617.30; automobile certificates, license tags and expenses, \$5,500 per annum.
16. STATE CONTRACTS—Paper and stationery, \$80,000.
17. Printing, \$100,000; binding, \$40,000.
18. AUDITOR—Clerks, stenographers, messengers, janitors, examiners, other employes, postage, expressage and incidentals, \$101,650 per annum.
19. Conveying juvenile offenders to State schools, \$23,000 per annum.
20. Conveying convicts to and from penitentiaries, \$20,000 per annum.
21. Conveying offenders to and from reformatory, \$10,000 per annum.
22. Fugitives from justice, \$20,000 per annum and \$2,000.
23. State suits, \$500.
24. BOARD OF EQUALIZATION—Expenses, \$10,000 per annum.
25. AUDITOR—Interest on school fund, \$57,000 per annum.
26. Transfer of insane, \$1,000 per annum.
27. Distributable school fund, \$2,000,000 per annum.
28. ATTORNEY GENERAL—Assistants, clerks, stenographers, reporter, messenger, other employes, incidental expenses, official duties, taxes, rent, suits, etc., \$95,150 per annum and \$65,313.25.
29. STATE TREASURER—Assistant, clerks, messenger, guards, incidentals, collection of inheritance tax, interest on public funds, furniture, etc., \$53,750 per annum and \$500.
30. Amount necessary to refund taxes collected in error, etc.
31. SUPERINTENDENT OF PUBLIC INSTRUCTION—Assistants, clerks, stenographers, incidentals, etc., \$18,900 per annum; special work, \$8,500.
32. ADJUTANT GENERAL—Clerks and other employes in office, memorial hall, arsenal and Camp Lincoln and incidentals, \$11,940 per annum.
33. CHARITIES COMMISSION—Employes, incidentals, expenses, books, etc., \$12,650 per annum.
34. SUPREME COURT—Books, reports, repairs, employes and miscellaneous expenses, \$30,400 per annum.
35. CLERK OF SUPREME COURT—Janitor, \$800 per annum.
36. APPELLATE COURT, FIRST DISTRICT—Rent, books, furniture, employes and incidentals, \$14,800 per annum and \$975.
37. APPELLATE COURT, SECOND DISTRICT—Fuel, light, incidentals, books and employes, \$5,100; deficiency, new boiler, painting and repairs, \$3,300.
38. APPELLATE COURT, THIRD DISTRICT—Stationery, postage and incidentals, \$1,000 per annum; deficit, \$415.
39. APPELLATE COURT, FOURTH DISTRICT—Stationery, fuel, light, repairs, incidentals, books and librarian, \$2,900 per annum; deficit, \$300.
40. APPELLATE COURTS—Janitors and stenographers, \$5,700 per annum.
41. RAILROAD AND WAREHOUSE COMMISSION—Assistant Secretary and statistician, civil engineer, rate clerk, clerk hire, miscellaneous expenses, suits, experts, printing, schedules, maps, investigations, etc., \$40,200 per annum.  
Grain inspection department—Chicago district: Chief inspector, chief clerk, cashier, clerks, inspectors, samplers, other employes, rent, light and incidentals, \$153,110 per annum.  
East St. Louis district: Deputy chief inspector, registrar, clerk, inspectors, helpers, rent, light and incidentals, \$17,300 per annum.

STATE GOVERNMENT—GENERAL EXPENSES—*Continued.*

42. MUSEUM OF NATURAL HISTORY—Curator, employes, general expenses, books, specimens, repairs and publications, \$8,550 per annum.
43. COMMISSIONERS OF LABOR STATISTICS—Clerical services, special agents, incidentals, etc., \$9,000 per annum.
44. MINING BOARD—Per diem, expenses, clerk hire, oils, powder and incidentals, \$13,000 per annum.
45. MINE INSPECTORS—Actual expenses, \$12,000 per annum.
46. FREE EMPLOYMENT OFFICES—Employes, rent and general expenses, \$21,630 per annum.
47. FISH COMMISSIONERS—Services, expenses, maintenance, printing, license tags and incidentals, \$26,700 per annum.
48. GENERAL ASSEMBLY, 48TH—Committee expenses, \$2,000.
49. LIVE STOCK COMMISSIONERS—Employes, agents, veterinarians, traveling and incidental expenses, damages, etc., \$31,600 per annum and \$25,000.  
Veterinary examiners: Per diem, traveling and incidental expenses, \$800 per annum; office expenses, \$500.  
Biological laboratory: Buildings, equipment, hogs, supplies, etc., \$65,000; salaries, \$6,000 per annum.
50. INSURANCE SUPERINTENDENT—Actuary, clerks and other employes, miscellaneous expenses, legal services, printing, etc., \$62,225 per annum.
51. LINCOLN HOMESTEAD—Custodian, repairs, heat and light, \$2,075 per annum; paving, \$433.61.
52. LINCOLN MONUMENT—Custodian, fuel and incidentals, \$2,950 per annum; repairs, \$250.
53. HISTORICAL LIBRARY—Maintenance, books, printing, employes, meetings, etc., \$14,100 per annum; copying, \$2,500.
54. SUPREME COURT REPORTER—Expenses, custodian and messenger, \$1,920 per annum.
55. FACTORY INSPECTOR—Rent, employes, office and contingent expenses, etc., \$34,700 per annum.
56. BOARD OF ARBITRATION—Traveling and incidental expenses, clerk hire, etc., \$5,000 per annum.
57. BOARD OF PARDONS—Employes, incidental expenses, etc., \$3,730 per annum; filing case, \$1,000.
58. NATURAL HISTORY LABORATORY—Natural history survey, bulletins and reports, \$10,000 per annum.
59. STATE ENTOMOLOGIST—General expenses, San José scale, etc., \$21,000 per annum.  
FORT MASSAC TRUSTEES—Custodian, improvements and expenses, \$3,100 per annum; pavilion, \$5,000.
60. BOARD OF HEALTH—Secretary, assistant, clerks, office and other expenses, investigations, inspection, anti-diphtheric serum, treatment for rabies, examinations, meetings, legal services, etc., \$82,000 per annum and \$39,500.
61. FOOD COMMISSIONER—Miscellaneous expenses, rent, etc., \$35,000.
62. HIGHWAY COMMISSION—Experimental work, statistics, plans, and other expenses, \$100,000 per annum.
63. CIVIL SERVICE COMMISSION—Employes, general expenses, etc., \$19,300 per annum.
64. BOARD OF PRISON INDUSTRIES—Employes, office and traveling expenses, printing, etc., \$11,500; catalogue, \$1,000.
65. GEOLOGICAL COMMISSION—Extension of surveys, maps, reports, study of coal mining industry, etc., \$32,000 per annum; survey of overflowed lands, \$7,500.  
School of Ceramics: Maintenance and equipment, \$15,000 per annum.



STATE GOVERNMENT—GENERAL EXPENSES—*Concluded.*

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| <p>66. UNIVERSITY OF ILLINOIS—Interest on endowment funds, \$65,000.</p> <p>67. RIVERS AND LAKES COMMISSION—Organization, office expenses, clerk hire, etc., \$15,000 per annum.</p> <p>68. SHABBONA PARK—Repairs and improvements, \$1,000.</p> <p>69. GOVERNOR AND ATTORNEY GENERAL—Appeal to U. S. Supreme Court, \$40,000.</p> <p>70. GAME COMMISSIONER—Employés, living expenses, wardens, incidentals, printing, traveling expenses, supplies, birds and animals, rent, etc., \$149,380 per annum.</p> <p>71. BOARD OF ADMINISTRATION—Employés, agents, general expenses, visitors, etc., \$48,430 per annum; repairs, etc. at arsenal, \$2,500.</p> <p>72. GRAND ARMY HALL AND MEMORIAL ASSOCIATION—Purposes enumerated, \$1,900 per annum.</p> <p>73. EXAMINERS OF ARCHITECTS—Per diem, salaries, expenses, legal services, reports, postage, etc., \$9,040 per annum.</p> <p>74. DENTAL EXAMINERS—Salaries, rent, per diem, expenses, printing, dues, etc., \$5,850 per annum.</p> <p>75. INSPECTOR OF PRIVATE EMPLOYMENT AGENCIES AND LABOR COMMISSIONERS—Salaries, \$2,920; rent and general expenses, \$1,000.</p> | <p>76. EXAMINERS OF BARBERS—Salaries, expense accounts, rent, general office expenses, printing, etc., \$17,125 per annum.</p> <p>77. INSPECTOR OF APIARIES—Salaries, \$1,500 per annum.</p> <p>78. BOARD OF PHARMACY—Salaries, expenses, per diem, rent and general expenses, etc., \$15,780.</p> <p>79. FIRE MARSHAL—Employés, traveling expenses, rent, fees, office supplies and incidentals, \$49,700 per annum.</p> <p>80. EXAMINERS OF NURSES—Fees, expenses, salaries, rent, printing, incidentals, etc., \$5,020 per annum.</p> <p>81. MINE RESCUE STATION COMMISSION—Equipment, maintenance, employés, lectures, general expenses, etc., \$30,000 per annum.</p> <p>82. STALLION REGISTRATION BOARD—Salaries, clerk hire, veterinary services, per diem, expenses, etc., \$16,730 per annum.</p> <p>83. PAUL PELLETIER—Services, \$90.</p> <p>84. GOOD ROADS COMMITTEE—Investigation, \$1,200.</p> <p>85. INSURANCE COMMITTEE—Investigation, \$5,000.</p> <p>85a. INSPECTOR OF APIARIES—Salary, \$1,500 per annum.</p> <p>86. HOTEL INSPECTORS—Salaries and expenses, \$9,100 per annum.</p> <p>87. GENERAL ASSEMBLY, 46TH—Employés, \$203.65.</p> |
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- § 2. How drawn—certification of pay-rolls, traveling expenses and other bills—refusal of warrant.

(HOUSE BILL NO. 675. APPROVED JUNE 10, 1911.)

AN ACT to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be, and are hereby, appropriated to meet the ordinary and contingent expenses of the State government, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly:

*First*—A sum not to exceed \$5,000 per annum shall be subject to the order of the Governor for the purpose of defraying such public expenses of the State government as are unforeseen by the General Assembly, and not otherwise provided for by law.

*Second*—To the Governor, the sum of \$12,000 per annum for secretaries to the Governor, for the performance of such official duties of the Governor as may be required of them, and for the executive clerk, index and general clerk, stenographer, assistant stenographer, messenger and janitor; payable monthly, as hereinafter named.

*Third*—To the Governor, the sum of \$4,000 per annum for department and institution auditor; for his assistant, \$1,200 per annum; and for his traveling and necessary expenses, the sum of \$1,500 per annum.

*Fourth*—To the Governor, the further sum not to exceed \$8,000 per annum for postage, expressage, telegraphing, telephoning, traveling expenses, proportionate expense of Governor's conference, and other expenses connected with the Governor's office, payable as hereinafter named.

*Fifth*—To the Governor, for the care of the Executive Mansion and grounds, and for heating, lighting, expenses of public receptions, wages and sustenance of employes, stable expense and other incidental expenses of the Executive Mansion, the sum of \$18,000 per annum. For repairs, improvements, and refurnishing at the Executive Mansion and improvement of grounds, \$5,100.

To the Governor for repairing, refurnishing, recarpeting and redecorating the executive offices, the sum of \$3,000. Re-appropriating to the Governor for the purpose of carrying out the provisions of an Act entitled, An Act making an appropriation to the Governor to be used in the investigation and examination of books, records, reports and accounts of the Illinois Central Railroad Co., approved March 19, 1907, in force March 19, 1907, the unexpended balance of the \$100,000 appropriated by the Forty-sixth General Assembly as hereby appropriated from the State treasury of Illinois for the purposes specified in said Act and to be expended and paid in accordance with the provisions of said Act.

*Sixth*—To the Lieutenant Governor, for clerical hire, and for postage, telegraphing, stationery and all other incidental expenses, the sum of \$3,400 per annum.

*Seventh*—To the Secretary of State, for clerk hire in his office, the following sums: For chief clerk, \$3,600 per annum; for one assistant chief clerk, \$3,000 per annum; for one chief corporation clerk, \$2,400 per annum; for one corporation clerk, \$1,800 per annum; for one corporation clerk, \$1,500 per annum; for one executive clerk, \$2,100 per annum; for one assistant executive clerk, \$1,000 per annum; for one index clerk, \$2,100 per annum; for one assistant index clerk, \$1,800 per annum; for one assistant index clerk, \$1,000 per annum; for one assistant index and vault clerk, \$1,000 per annum; for one anti-trust clerk, \$2,100 per annum; for one assistant anti-trust clerk, \$1,800 per

annum; for one assistant anti-trust clerk, \$1,200 per annum; for one assistant anti-trust clerk, \$1,100 per annum; for one assistant anti-trust clerk, \$1,000 per annum; for one shipping clerk, \$2,100 per annum; for one shipping clerk, \$1,800 per annum; for one shipping clerk, \$1,320 per annum; for one shipping clerk, \$1,500 per annum; for extra clerical services, \$1,800 per annum; for one private secretary and stenographer, \$2,100 per annum; for one automobile clerk, \$2,100 per annum, one assistant automobile clerk, \$1,500 per annum; two assistant automobile clerks, \$1,320 per annum each, \$2,640 per annum; two stenographers at \$1,200 each per annum, \$2,400 per annum; one messenger, \$900 per annum; for one supply clerk, \$2,100 per annum; for one assistant supply clerk, \$1,600 per annum; one messenger for supply department, \$900 per annum; for seven stenographers and typewriters, \$1,200 each per annum, \$8,400 per annum; for one bookkeeper, \$2,000 per annum; for three porters and messengers, \$1,020 each per annum, \$3,060 per annum; for one superintendent of capitol building and grounds, \$3,300 per annum; for one assistant superintendent of capitol building and grounds, \$1,800 per annum; for two carpenters, \$1,000 each per annum, \$2,000 per annum; for nine policemen, \$800 each per annum, \$7,200 per annum; for four elevator conductors, \$900 each per annum, \$3,600 per annum; for ten janitors, \$800 each per annum, \$8,000 per annum; for one janitress, \$800 per annum; for one flagman, \$800 per annum; for one chief engineer, \$1,800 per annum; for two assistant engineers, \$1,320 per annum, \$2,640 per annum; for nine firemen, \$900 each per annum, \$8,100 per annum; for one weigher, \$1,000 per annum; for one chief electrician, \$1,600 per annum; for three assistant electricians, \$1,200 each per annum, \$3,600 per annum; for one janitor and helper in lighting plant, \$900 per annum; payable upon monthly pay-rolls certified to by the Secretary of State; for expenses in connection with the corporation department, the sum of \$2,500 per annum; to the Secretary of State, for postage, expressage, telegraphing and other incidental expenses of his office, \$5,000 per annum; and for the payment of all other necessary incidental expenses incurred by the Secretary of State in the care and custody of the State House and grounds and other State property, and in repairs and improvements of same, and for the performance of such other duties as may be imposed upon him by law, and for which no other appropriation has been made, the sum of \$5,000 per annum; for the purpose of enforcing the foreign corporation Act, the sum of \$5,000 per annum; for the purpose of employing extra help in connection with the public printing of the State, the sum of \$3,000 per annum.

*Eighth*.—To the Secretary of State, for the purchase of fuel and for repairs and other incidental expenses connected with heating the State House and other buildings under his control, the sum of \$9,000 per annum; for repairing the State House heating and lighting plants and other buildings under charge of Secretary of State, \$1,500 per annum; for incidental expenses connected with operating the State electric lighting plant, \$1,500 per annum.

*Ninth*—To the Secretary of State, such sums as may be necessary to enable him to purchase such volumes of the reports of the decisions of the Supreme Court as he is or may be, by law, required to purchase, the sum of \$5,000 per annum.

*Tenth*—To the Secretary of State, for the purchase of flags for the dome of the capitol building for two years, the sum of \$200.

*Eleventh*—To the Secretary of State, for the purchase of books and for the incidental expenses of the State library, the sum of \$2,000 per annum; payable upon bills of particulars certified to by the Board of Commissioners of the State Library. To the Secretary of State, for salary of assistant librarian, \$1,300 per annum; for second assistant librarian, \$1,200 per annum; for third assistant librarian, \$1,100 per annum; for fourth assistant librarian, \$1,000 per annum; for fifth assistant librarian, \$900 per annum; for sixth assistant librarian, \$900 per annum; for library extension commission, \$1,800 per annum.

*Twelfth*—To the Secretary of State, for copying the laws, journals and joint resolutions of the General Assembly, as provided by law, \$300, and for expressage and postage on same, \$2,000 per annum.

*Thirteenth*—To the Secretary of State, for the purchase of safety lamps, hydrometers, barometers, anemometers and such other instruments as the needs of the service of the State Mine Inspectors requires, [require] as provided by law, the sum of \$1,000 or so much thereof as may be necessary.

*Fourteenth*—To the Secretary of State, for expense of printing "Blue Book," \$2,000.

To the Secretary of State, for the purchase of automobile supplies, consisting of number tags, certificates of registration, and aluminum tags, \$35,000 per annum; for salary and expenses of examiners of chauffeurs and license plates for same, \$5,000 per annum.

*Fifteenth*—For putting in steel filing cases in the supply department of the office of the Secretary of State, the sum of \$2,575; for putting in steel filing cases in the corporation department of the Secretary of State's office, the sum of \$1,542.30; for putting in steel filing cases in the land department of the office of the Auditor of Public Accounts, the sum of \$5,500.

To the Secretary of State, for the purchase of certificates of registration, license tags, and other expenses in connection with the enforcement of the automobile law, the sum of \$5,500 per annum, no part of which shall be paid in salaries or for help.

*Sixteenth*—To the Board of Commissioners of State Contracts, for the purchase on contract, as required by law, and other necessary expenses connected therewith, of printing paper and stationery for the use of the General Assembly and the executive departments, the sum of \$80,000.

*Seventeenth*—To the Board of Commissioners of State Contracts, for public printing, the sum of \$100,000, or so much thereof as may be re-



quired; for public binding, the sum of \$40,000, or so much thereof as may be necessary; the public printing and binding to be paid according to contract.

*Eighteenth*—To the Auditor of Public Accounts, with necessary clerk hire in his office, the following sums: For chief clerk, \$3,600 per annum; for warrant clerk, \$3,000 per annum; for three assistant warrant clerks, \$1,800 per annum, \$5,400 per annum; for bookkeeper, \$1,800 per annum; for revenue clerk, \$1,800 per annum; for land clerk, \$1,800 per annum; for file and index clerk, \$1,500 per annum; for two stenographers, \$1,200 per annum each, \$2,400 per annum; for one messenger clerk, \$900 per annum; for one janitor, \$800 per annum; for additional clerk hire, \$3,200 per annum; also for postage, express charges, telegraphing and other incidental expenses, \$4,500 per annum. Also for paying the necessary examiners and clerks in the building and loan department of the Auditor's office, the following sums: For one building and loan clerk, \$2,500 per annum; for one building and loan clerk, \$2,250 per annum; for one examiner, \$3,000 per annum; for one examiner, \$2,500 per annum; for one examiner, \$2,400 per annum; for one examiner, \$1,800 per annum; for necessary railroad fare and other traveling expenses of building and loan examiners, \$4,000 per annum. For amount to pay for services and expenses of examiners for making examinations of books and accounts of the various departments of the State as required by sections three and four of "An Act in relation to the payment of public money of the State into the State treasury," the sum of \$2,500 per annum. Also for paying the necessary examiners and clerical services incidental to the banking department of Auditor's office, the following sums: For two examiners of State banks in the city of Chicago and Cook county, \$5,000 each per annum, \$10,000 per annum; for one assistant examiner in Chicago, \$2,500 per annum; for one stenographer for the bank examiner's office in the city of Chicago, \$1,200 per annum; for three examiners for examination of State banks outside of Chicago, each \$4,000 per annum, \$12,000 per annum; for one clerk in charge of banking department, \$5,000 per annum; for one clerk in banking department, \$1,500 per annum; for two stenographers, \$1,200 each per annum, \$2,400 per annum; for one clerk and messenger, \$900 per annum; for extra clerk hire and extra examiners, \$5,000 per annum; for amount necessary to pay the traveling expenses of bank examiners and other necessary expenses of the department, \$7,500 per annum. For expenses in the levying, collecting, completing and keeping an account of the interest and principal on registered bonds, the sum of \$2,000 per annum.

*Nineteenth*—The Auditor of Public Accounts, a sum not to exceed \$8,000 per annum, or so much thereof as may be necessary, for the conveying of female offenders to the State Training School for Girls, and also the sum of \$15,000 per annum, or so much thereof as may be necessary, for conveying of delinquent boys to the St. Charles School for

Boys, such payments in each case to be ascertained and paid in the same manner as required by law for the conveying of prisoners to the penitentiary.

*Twentieth*—The Auditor of Public Accounts, a sum not exceeding \$20,000 per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary, and from and to the penitentiary in cases of new trials, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law: *Provided*, that when more than one person is convicted at the same term of court and is committed to the penitentiary, the sheriff shall take all of said persons so convicted at one trip, and the Auditor of Public Accounts shall refuse payment to any sheriff who shall fail to comply with this provision.

*Twenty-first*—To the Auditor of Public Accounts, the sum of \$10,000 per annum, or so much thereof as may be necessary, for conveying offenders to the State Reformatory at Pontiac, and from and to the reformatory in cases of new trial, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law, to be ascertained and paid in the same manner as in cases of conveying prisoners to and from the penitentiary: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the reformatory, the sheriff shall take all of said persons so convicted at one trip, and the Auditor of Public Accounts shall refuse payment to any sheriff who shall fail to comply with this provision.

*Twenty-second*—To the Auditor of Public Accounts, for the payment of the expenses provided by law for the apprehension and delivery of fugitives from justice, \$20,000 per annum, or so much thereof as may be necessary, to be paid on the evidence required by law, certified to and approved by the Governor, and the sum of \$2,000 for rewards for arrests of fugitives from justice, to be paid on bills of particulars having the approval of the Governor indorsed thereon.

*Twenty-third*—To the Auditor of Public Accounts, a sum not exceeding \$500 per annum, or so much thereof as may be necessary, for costs and expenses of State suits.

*Twenty-fourth*—To the State Board of Equalization, for paying expenses, a sum not exceeding \$10,000 per annum, payable in the manner provided by law.

*Twenty-fifth*—To the Auditor of Public Accounts, the sum of fifty-seven thousand dollars (\$57,000) per annum, or so much as may be necessary, to pay the interest on school fund, distributed annually in pursuance of law, said amount to be payable from the State School fund.

*Twenty-sixth*—To the Auditor of Public Accounts, for the payment of the expenses of the transfer of any insane person or persons to the Illinois Asylum for Insane Criminals, either from any other of the State institutions or upon the order or mittimus of any of the several State courts, the sum of one thousand dollars (\$1,000) per annum, or so much thereof as may be necessary.

*Twenty-seventh*—To the Auditor of Public Accounts, the sum of \$2,000,000 annually, out of the State School fund, to pay the amount of

the Auditor's orders for the distribution of said fund to the several counties, and for the payment of the salary and expenses of county superintendents of schools as now provided by law. The Auditor shall issue his warrants to the State Treasurer on the proper evidence that the amount distributed has been paid to the county superintendents.

*Twenty-eighth*—To the Attorney General, for the regular and ordinary work of his office, the following: One chief assistant, \$5,000 per annum; two assistants at \$4,500 each per annum, \$9,000 per annum; two assistants at \$3,500 each per annum, \$7,000 per annum; one assistant, \$3,000 per annum; one brief maker, \$2,400 per annum; one inheritance tax assistant, \$2,400 per annum; one law clerk, \$2,000 per annum; one private secretary and stenographer, \$1,800 per annum; one court reporter, \$1,800 per annum; three stenographers at \$1,200 each per annum, \$3,600 per annum; one messenger and index clerk, \$1,200 per annum; one janitor, \$800 per annum; for telegraphing, telephoning, expressage, postage, office supplies, and traveling expenses of Attorney General and the regular employes of the office, \$7,000 per annum; for court costs in U. S. courts, expenses conducting investigations, preparation and trial of suits and appeals, employment of special assistants, brief writers and extra help, and for incidental expenses, \$24,000 per annum.

To the Attorney General, for the purpose of employing special counsel, traffic experts, accountants, stenographers, clerks, and other necessary assistance in the case of the State of Illinois v. Illinois Central Railroad Company, pending in the circuit court of LaSalle county, and for the purpose of defraying the costs and expenses of an accounting in said case, and for the preparation, hearing and completion of said case, the sum of \$35,000; and in addition to said sum of \$35,000, there is hereby re-appropriated for said purpose the balance of the appropriation made to the Attorney General by the Forty-sixth General Assembly, to employ special counsel, experts, accountants and assistants to carry on the case of the State of Illinois vs. Illinois Central Railroad Company, now pending in the circuit court of La Salle county, and for other special work, collection of evidence and expenses in connection with the investigation by the committee of the General Assembly authorized to be appointed by joint resolution of Feb. 24, 1909, for the purpose of investigating the rights of the State of Illinois in submerged and made lands in connection with the navigable waters of the State of Illinois, remaining in the treasury on the first day of July, 1911.

To the Attorney General, for special work, collection of evidence and expenses and other necessary assistance in the matter of investigation and litigation relative to submerged and made lands in connection with the navigable waters of the State of Illinois, the sum of \$25,000.

To the Attorney General, to pay taxes and penalties on Idaho lands and expenses in Idaho suits, the sum of \$4,513.25.

To the Attorney General, for the expense, work and maintenance of the inheritance tax office of Cook county, the following: One assistant



inheritance tax attorney, \$2,800 per annum; one assistant inheritance tax attorney, \$2,000 per annum; one clerk, \$1,800 per annum; two court reporters at \$1,500 each per annum, \$3,000 per annum; two stenographers at \$1,200 each per annum, \$2,400 per annum; one messenger and telephone operator, \$600 per annum; for special investigations, \$6,000 per annum; for office rent, \$3,000 per annum; for electric light, \$300 per annum; for telephones, \$350 per annum; filing and transfer cases and typewriter renewals, \$400 per annum; to purchase desks and office furniture and fixtures, \$800; for stationery, postage, maps, certificates, incidental supplies and incidental expenses, \$1,500 per annum.

*Twenty-ninth*—To the State Treasurer, for assistant State treasurer, \$6,000 per annum; for chief clerk, \$4,200 per annum; for cashier, \$2,750 per annum; for inheritance tax and vault clerk, \$1,800 per annum; for bookkeeper and clerk, \$1,800 per annum; for record clerk, \$1,500 per annum; for stenographer and clerk, \$1,200 per annum; for stenographer and clerk, \$1,200 per annum; for messenger, \$1,200 per annum; for nine (9) guards, \$8,100 per annum; for office expenses, postage, express, etc., \$4,000 per annum; for expenses collecting inheritance tax, \$12,500 per annum; for employment of attorney *in re* investing and collecting public funds and the interest thereon, \$4,000 per annum; for fiscal secretary *in re* investing and collecting public funds and the interest thereon, \$2,500 per annum; for paying premium on employes' bonds, \$1,000 per annum; for furniture (1 year only), \$500.

*Thirtieth*—To the State Treasurer, such sums as may be necessary to refund the taxes on real estate sold or paid on error and for over payment of collector's accounts under laws governing such cases, to be paid out of the proper funds.

*Thirty-first*—To the Superintendent of Public Instruction, the following sums are hereby appropriated: For three assistants, the sum of \$2,600 each per annum, \$7,800 per annum; for one clerk, \$1,800 per annum; for one statistical clerk, \$1,500 per annum; for one stenographer, \$1,200 per annum; for one stenographer, \$1,100 per annum; for one messenger and mailing clerk, \$1,000 per annum; for postage, expressage, telegraphing, expense of State examinations, and all other necessary expenses of his office, a sum not exceeding \$4,500 per annum.

To the Superintendent of Public Instruction for the carrying out of the provisions of the certifying law and for no other purpose, the sum of \$3,500.

To the Superintendent of Public Instruction to enable him to complete and publish the work of the Educational Commission, \$5,000.

*Thirty-second*—To the Adjutant General for clerk hire in his office the following sums: For chief clerk, \$2,400 per annum; for record clerk, \$2,000 per annum; also the sum of \$1,500 per annum for postage, telegraphing, repairs and other incidental expenses connected with memorial hall and office; also for custodian of memorial hall, \$1,300



per annum; for stenographer, \$1,200 per annum; for custodian of arsenal, \$1,200 per annum; for ordnance sergeant at arsenal, \$720 per annum; for custodian at Camp Lincoln, \$720 per annum; one messenger, \$900 per annum..

*Thirty-third*—To the State Charities Commission for salary of assistant secretary and bookkeeper, \$2,000 per annum; for inspector of institutions, \$1,200 per annum; for stenographer, \$900 per annum; for messenger, \$800 per annum; for office and incidental expenses of the commission, including postage, expressage, office supplies, etc., and the necessary expenses of the commissioners and employes while engaged in the discharge of their duties of visitation and inspection within the United States, as required by law, \$5,000 per annum, or so much thereof as may be necessary.

For the purchase of books for the library and to secure, when advisable and possible, copies of plans and specifications of modern jails and almshouses, that they may be kept on file for the guidance and instruction of counties planning new jails or almshouses, \$500 per annum.

For the Illinois State Conference of Charities holding annual sessions, securing speakers, and incidental expenses, \$750 per annum; for the expenses of the boards of auxiliary visitors in making inspection, as provided by law, \$1,500 per annum, a sum not exceeding \$5.00 in amount to be paid therefrom to each member of said board upon his filing a certificate of the expense incurred in making such inspection.

*Thirty-fourth*—To the Supreme Court, for the purpose of buying additional books for the Supreme Court library, binding books in the library which need to be rebound, the purchase of continuations and renewals of the different reports, encyclopædias, reporters, law magazines and current text-books, \$5,000 per annum; for the expenses of the Supreme Court, stationery, repairs, maintenance of building, printing, furnishing, expressage, telephoning and telegraphing, \$10,000 per annum; for the salary of the librarian of the Supreme Court, \$2,400 per annum; for assistant librarian, \$900 per annum; for court stenographic work, \$1,200 per annum; for salary of custodian, \$1,000 per annum; for the salary of the head janitor, \$1,000 per annum; and for three janitors, \$800 each per annum, \$2,400; messenger, \$800 per annum; matron, \$800 per annum; two elevator conductors, \$900 each per annum, \$1,800 per annum; two watchmen, \$800 each per annum, \$1,600 per annum; one engineer and electrician, \$1,500 per annum.

*Thirty-fifth*—To the clerk of the Supreme Court, one janitor, \$800 per annum.

*Thirty-sixth*—To the Appellate Court of the First District, for rent and for no other purpose, \$10,500 per annum; for the purchase of law books and reports, \$1,000 per annum; for furniture and carpets, \$750; for incidental expenses, \$1,000 per annum for each court; for stenographer's salary, \$1,500 per annum for each court; said stenographers to be appointed by, and their duties to be prescribed by the clerk and judges

of the respective courts; for librarian's salary (both courts), \$800 per annum; for filing cases in library for the purpose of filing disposed of records in the clerk's office, \$225.

*Thirty-seventh*—To the Second District, Appellate Court, for stationery, fuel, light, postage, expressage, furniture and other expenses deemed necessary by the court, \$2,000 per annum; for law books, \$600 per annum; for rebinding law books, \$400 per annum; for librarian, \$600 per annum; for one stenographer, \$1,500 per annum. The sum of \$1,900 to pay deficiency in fuel, light and book fund. New boiler for heating plant, \$600; for interior painting and repairs, \$800.

*Thirty-eight*—To the Third District, Appellate Court, for stationery, postage, expressage, furniture and other expenses deemed necessary by the court, \$1,000 per annum, the sums to be paid on bills of particulars certified to by the clerk of said court; for deficit, \$415.

*Thirty-ninth*—To the Fourth District, Appellate Court, the sum of \$1,500 per annum for stationery, fuel, light, postage, expressage, repairs, furniture and other expenses deemed necessary by the court; for law books, \$800 per annum; for librarian, \$600 per annum. Deficiency in book fund, \$300.

*Fortieth*—Also the sum of \$900 each per annum, \$2,700 per annum, to the Second, Third and Fourth Districts of the Appellate Court for the pay of janitors, to be appointed by the clerks of the respective courts, and to perform such duties as shall be determined by the judges and clerks of the respective courts, to be paid on the order of at least two of the judges of each district; for one stenographer for each of the Third and Fourth Districts of the Appellate Court, \$1,500 each per annum, \$3,000 per annum; such stenographers to be appointed and their duties to be prescribed by the clerks of the several appellate courts, respectively; such salaries to be paid monthly on pay rolls duly certified to by the respective clerks and approved by at least two of the judges of said courts, respectively.

*Forty-first*—To the Railroad and Warehouse Commission, the following amounts and for the following purposes:

1. For the salary of Assistant Secretary and Statistician, \$3,000 per annum.
2. For the salary of a Civil Engineer when employed by the commission, \$5,000 per annum.
3. For the salary of Expert Rate Clerk, \$3,000 per annum.
4. For incidental expenses of their office, including care, furnishing, stationery, books, postage, telegraphing, telephoning, and any other necessary expenditures of said commission, \$3,000 per annum, or such part thereof as may be necessary for such purpose.
5. For necessary clerk hire for indexing, copying records, and cataloguing the library, \$1,000 per annum.
6. For expense incurred in investigation in connection with the rates, management or operation, etc., of any common carrier, \$2,000 per annum, or such part thereof as may be necessary for such purpose.

7. For expense incurred in any suits commenced by authority of the State, or necessary legal services rendered by order of the commission, \$1,000 per annum, or such part thereof as may be necessary for such purpose.

8. For the fees of experts employed in any examination of any common carrier, other than express companies, and clerical help connected therewith, \$2,500 per annum, or such part thereof as may be necessary for such purpose.

9. For the necessary expenses of the commissioners, secretary or other regular employé or appointee of said commission, \$4,000 per annum, or such part thereof as may be necessary for such purpose.

10. For printing, mailing, expressing and publication of schedule of reasonable maximum rate of charges for the transportation of passengers and freight, made or revised for all of the railroads of the State as provided by law, \$2,000 per annum, or such part thereof as may be necessary for such purpose.

11. For the printing, mailing, publication and distribution of schedule of reasonable maximum express rates and charges for the transportation by express, made or revised for all of the express companies within this State, as provided by law, and for the necessary investigation of the facts to determine such reasonable schedule of rates, and for the preparation of blanks, rules and regulations therefor, and the necessary expert help in relation thereto, \$2,000 per annum, or such part thereof as may be necessary for such purpose.

12. For clerk and stenographer in express department, \$1,500 per annum.

13. For printing, mailing, expressing and publication of railroad maps of Illinois for general distribution, \$2,000 per annum, or such part thereof as may be necessary for such purpose.

14. For the salary of official reporter, \$1,200 per annum.

15. For the salary of stenographer, file and index clerk, \$1,200 per annum.

16. For the salary of stenographer and secretary to the chairman of the commission, \$1,200 per annum.

17. For the employment of an inspector of rolling stock, roadway, bridges, crossings, signals, accidents and such other work as may be assigned by the commission, \$1,800 per annum.

18. For expense and clerk hire in department of claims and for the investigation of the methods of adjustment of claims of common carriers, \$2,000 per annum.

19. For salary of janitor and messenger, \$800 per annum.

For State Grain Inspection Department, Chicago district: One chief inspector, \$6,000 per annum; one chief clerk, \$2,250 per annum; one cashier, \$2,000 per annum; one auditor, \$1,000 per annum; one shipping clerk, \$1,800 per annum; one clerk, \$2,000 per annum; two clerks, \$1,800 each per annum, \$3,600; three clerks, \$1,500 each per annum, \$4,500; nine clerks, \$1,350 per annum each, \$12,150; four clerks, \$1,200



per annum each, \$4,800; one supervising inspector, \$2,750 per annum; one supervising inspector, \$2,400 per annum; two messengers, \$1,800 each per annum, \$3,600; fourteen deputy inspectors, \$1,800 each per annum, \$25,200; one deputy inspector, \$1,500 per annum; four deputy inspectors, \$1,350 per annum each, \$5,400; nineteen samplers, \$1,200 per annum each, \$22,800; twenty helpers, \$900 per annum, \$18,000; registration division, one registrar, \$2,500 per annum; one chief clerk, \$2,000 per annum; one clerk, \$1,500 per annum; two clerks, \$1,200 each per annum, \$2,400; three members of Appeals Committee, \$1,200 each per annum, \$3,600; four Board of Trade samplers, \$1,200 each per annum, \$4,800; one 'phone operator in grain department, \$720 per annum; one janitor, \$840 per annum.

East St. Louis district: One deputy chief inspector, \$2,400 per annum; one registrar, \$1,800 per annum; one clerk, \$1,500 per annum; one supervising inspector, \$1,800 per annum; four assistant inspectors, \$1,500 each per annum, \$6,000; three helpers, \$900 per annum each, \$2,700; for rent and light of Chicago office, \$8,000 per annum; for rent and light of East St. Louis office, \$500 per annum; for incidental expenses of the Chicago office, none of which sum shall be used for salaries, \$5,000 per annum; for incidental expenses of East St. Louis office, \$600 per annum.

*Forty-second*—To the trustees of the Illinois State Museum of Natural History, for salary of curator, \$3,000 per annum; for salary of an assistant curator, \$1,200 per annum; for the employment of a zoölogist, taxidermist, librarian, stenographer, and other assistants, the sum of \$800 per annum; for janitor and messenger, \$1,000 per annum; for general expenses of museum, including expert services, traveling and other necessary expenses of the curator, \$800 per annum; for books and specimens, \$750 per annum; for purchase and repair of cases, \$500 per annum; for publication and distribution of transactions of the State Academy of Science, \$500 per annum.

*Forty-third*—To the Commissioners of Labor Statistics, for the purpose of procuring, tabulating and publishing statistics of labor, as contemplated by law, for clerical services, including special agents, for the incidental expenses of the board, and for defraying the per diem and traveling expenses of the commissioners and secretary, the sum of \$9,000 per annum.

*Forty-fourth*—To the State Mining Board, for the examination of candidates for certificates as mine inspectors, mine managers, mine examiners and hoisting engineers, for per diem and expenses of the board in conducting such examinations, for clerk hire, oils, powder and incidental expenses, the sum of \$13,000 per annum, or as much thereof as may be necessary.

*Forty-fifth*—To the State Mine Inspectors, for actual expenses incurred in the discharge of their duties, as provided by law, the sum of \$12,000 per annum, or as much thereof as may be necessary, of which sum not to exceed \$1,000 per annum shall be paid to any one inspector.



*Forty-sixth*—To the Illinois Free Employment Office, located in Chicago and Peoria, the following sums: To the South Side office, for salary of male clerk, \$900 per annum; for salary of female clerk, \$720 per annum; for salary of stenographer, \$900 per annum; for salary of janitor, \$600 per annum; for rent and general expenses, \$2,300 per annum.

To the West Side office, for salary of clerk, \$900 per annum; for stenographer, \$900 per annum; for janitor, \$600 per annum; for rent and general expenses, \$1,800 per annum.

To the North Side office, for salary of clerk, \$900 per annum; for stenographer, \$900 per annum; for janitor, \$600 per annum; for rent and general expenses, \$2,250 per annum.

To the Peoria office, for salary of stenographer, \$720 per annum; for rent and general expenses, \$1,800 per annum.

To the Springfield office, for rent and general expenses, \$1,000 per annum; for stenographer, \$720 per annum.

To the East St. Louis office, for salary of stenographer, \$720 per annum; for janitor, \$600 per annum; for rent and general expenses, \$1,800 per annum.

*Forty-seventh*—To the Fish Commissioners of the State, the sum of \$6,000 per annum, or so much thereof as may be necessary, to be used by them in pursuance of law; the sum of \$6,000 per annum, or so much thereof as may be necessary, for the services and expenses of such persons as may be employed by them, including wardens, while performing such service; no fees being allowed in the enforcement of the laws for the protection of fish and relating to fishways and for the personal traveling expenses of the commissioners; the sum of \$7,000 per annum, or so much thereof as may be necessary, for the maintenance and operation of the boats owned by the State in the collection of fish, and enforcement of fish laws. To maintain the hatchery now in operation at Havana, \$3,000 per annum; for printing new laws, license tags and expenses in connection therewith, \$2,500 per annum; and for office expenses, telephone, telegraph, \$1,000 per annum; and for one clerk, \$1,200 per annum.

*Forty-eighth*—The sum of \$2,000, or so much thereof as may be necessary, to pay the expenses of the committees of the Forty-eighth General Assembly.

*Forty-ninth*—To the State Board of Live Stock Commissioners, the following sums are hereby appropriated: For salary of secretary, \$2,000 per annum; for salary of assistant secretary, who shall be a stenographer and typewriter, \$1,500 per annum; for stenographer, \$1,200 per annum; for salary of messenger, \$800 per annum; for telegraphing, postage, expressage and other incidental office expenses, \$2,000 per annum; for per diem and expenses of State veterinarian, \$500 per annum; for salary of chief inspector at Union Stock Yards, Chicago, \$2,000 per annum; for salary of clerk, Union Stock Yards, Chicago, \$1,800 per annum; for salaries of seven agents at Union Stock Yards, Chicago, including horse hire, \$11,900 per annum; for salary of chief inspector, National

Stock Yards, \$1,500 per annum; for salaries of one agent at National Stock Yards, \$1,200 per annum, and one at Peoria, \$1,200 per annum; to pay the traveling and incidental expenses of the commissioners and secretary, \$4,000 per annum; for paying damages for animals diseased or exposed to contagion, slaughtered, for per diem and traveling expenses of assistant state veterinarians and special agents, for property necessarily destroyed or disinfection of premises, when such disinfection is practicable, under any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of \$25,000, or so much thereof as may be necessary.

For Board of Veterinary Examiners, \$500 per annum for per diem and the sum of \$300 per annum for traveling and incidental expenses. For postage, expressage, clerk hire and other incidental office expenses, \$500.

For the erection and equipment of buildings for the Biological Laboratory, \$20,000; for the purchase of hogs necessary for producing serum, including labor, feed and all other laboratory work and necessary supplies, \$45,000; for salaries of Bacteriologist and assistant, \$6,000 per annum.

*Fiftieth*—To the Insurance Superintendent: For actuary, per annum, \$4,000; for assistant actuary, per annum, \$2,400; for chief clerk, per annum, \$3,000; for assistant chief clerk, per annum, \$2,400; for messenger, per annum, \$900; for janitor, per annum, \$800; one cashier and bookkeeper per annum, \$2,100; one securities clerk, per annum, \$2,100; four valuation clerks, actuary's department each at \$1,500 per annum; \$6,000 per annum; one abstract clerk, per annum, \$1,500; one policy examiner and stenographer, per annum, \$1,500; one certificate clerk, per annum, \$1,500; one certificate clerk, per annum, \$1,200; one certificate clerk, per annum, \$600; two stenographers at \$1,200 each per annum, \$2,400 per annum; one index clerk, per annum, \$1,200; one expert proof reader, per annum, \$500; expert auditors (2) at \$1,000 each per annum, \$2,000; for postage, express charges, telephone, telegraph and other incidental expenses, per annum, \$7,000; for expenses of examiners and investigations which cannot be collected from the companies or associations examined, per annum, \$1,000, or so much thereof as may be necessary; for all examinations and investigations such amount for expenses incurred and services of assistants employed as shall be collected from the companies or associations examined, not to exceed \$5,000 per annum. For expenses in attending the National convention of insurance commissioners, per annum, \$125; for expenses in the prosecutions of violations of the insurance laws, per annum, \$3,000; for legal services, per annum, \$4,000; for printing and distributing the reports of the Farmers' mutual insurance companies, per annum, \$1,000, or so much thereof as may be necessary; for the per diem compensation of examiners of fraternal societies, per annum, \$5,000.

*Fifty-first*—To the trustees of Lincoln Homestead, for the salary of the custodian, the sum of \$1,500 per annum; for repairs and improve-

ments, \$300 per annum; for heating and lighting, \$275 per annum; to be expended by said trustees as provided in the Act of 1887, creating said trust.

For an amount to pay the State's part of special assessment for paving on Jackson street, \$433.61.

*Fifty-second*—To the trustees of Lincoln Monument, for salary of custodian, \$1,200 per annum; for fuel, care of grounds and other incidental expenses, \$1,750 per annum; for repair to steam plant, \$250.

*Fifty-third*—To the Illinois State Historical Library, for care, maintenance, purchase of books and manuscripts, the sum of \$5,000 per annum; for editing, printing and publishing historical documents, \$4,000 per annum; for salary of assistant librarian, \$1,300 per annum; for salary of janitor and messenger, \$900 per annum; for stenographer, \$900 per annum; for expenses of Illinois State Historical Society, the holding of annual meeting, publication of quarterly journal, etc., the sum of \$2,000 per annum, and for expenses of copying manuscripts in possession of county and township authorities, the sum of \$2,500 for the librarian. All to be expended under the direction of the trustees of the Illinois State Historical Library.

*Fifty-fourth*—To the Supreme Court Reporter, for the expenses of printing in advance the opinions of the Supreme Court, and of distributing printed proof thereof to the several members of the court and also to the Attorney General, in such cases as the State may be interested in, together with the expenses of transmitting such proofs and the original opinions by mail and express, and to make printers' corrections in said proofs after final adoption the sum of \$1,200 per annum, payable upon bills of particulars certified to by at least two judges of said court; for custodian and messenger, \$720 per annum, payable upon bills of particular[s] duly certified by the reporter.

*Fifty-fifth*—To the State Factory Inspector, for rent and light, \$2,500 per annum; for chief clerk, \$1,200 per annum; for two female investigators, \$1,000 each per annum, \$2,000 per annum; to defray traveling expenses of inspector and deputy inspectors, pursuant to law, \$14,000 per annum; for one stenographer, \$1,200 per annum; for two stenographers and typewriters (to act as clerks when necessary), \$1,000 each, \$2,000 per annum; for telephone, telegraph, express charges, postage, contingent expense, printing and office supplies, \$10,000 per annum; for two issuing clerks, \$900 each, \$1,800 per annum.

*Fifty-sixth*—To the State Board of Arbitration, for traveling expenses of the members and secretary and for postage, stationery, telegraphing, telephoning, expressage, additional clerk hire and all other necessary expenses, \$5,000 per annum, or so much thereof as may be necessary.

*Fifty-seventh*—To the Board of Pardons, for postage, telegraphing, expressage and other incidental expenses, \$1,000 per annum; for salary of stenographer, \$750 per annum; for salary of stenographer for serv-



ices rendered in connection with parole matters, \$480 per annum; for salary of secretary for services rendered in connection with parole matters, \$1,500 per annum; for steel filing case, \$1,000.

*Fifty-eighth*—To the State Laboratory of Natural History, for the expenses of the natural history survey, the sum of \$8,000 per annum; for the publication of bulletins and reports, \$2,000 per annum.

*Fifty-ninth*—To the State Entomologist, for general expenses, \$16,000 per annum; to prevent spread of San José Scale and other dangerous insects and contagious diseases of fruits, the sum of \$5,000 per annum.

To the Fort Massac trustees, the sum of \$600 per annum for the purpose of paying the salary of the custodian; for general improvements and other necessary expenses, \$2,500 per annum. For erection of a new pavilion, the sum of \$5,000.

*Sixtieth*—To the State Board of Health, for salary of secretary, the sum of \$3,600 per annum; for salary of assistant secretary, \$1,800 per annum; for necessary office expenses, including expenses incurred in attending meetings of the board, for making sanitary investigations, and for the purpose of investigating the cause and preventing the spread of such contagious and infectious diseases as consumption, typhoid fever, diphtheria, scarlet fever, influenza and malarial fevers, the sum of \$7,500 per annum; for expenses of laboratory for the investigation of disease, \$4,000 per annum; for chief clerk, \$2,400 per annum; for one clerk, \$1,200 per annum; for two clerks, \$1,000 each per annum, \$2,000 per annum; for stenographer and typewriter, \$1,200 per annum; for registrar of vital statistics, \$1,500 per annum; for janitor and messenger, the sum of \$800 per annum.

Also the sum of \$10,000 per annum, to be used only with the consent and concurrence of the Governor, on the recommendation and advice of the board, in case of an outbreak or threatened outbreak of any epidemic or malignant disease such as small-pox, yellow fever, Asiatic cholera and typhus fever, to defray the expenses of preventing the introduction of such diseases, or their spread from place to place within the State; to suppress outbreaks which may occur, and to investigate methods of their prevention; also for special investigation, when required by the sanitary necessities of the State.

Also the sum of \$32,000 for the necessary expenses, including the salary of stenographer at \$1,200 per annum, incurred in the supervision and inspection of lodging houses, boarding houses, taverns, inns, rooming houses and hotels, in cities of one hundred thousand or more inhabitants.

Also the sum of \$23,000 per annum for the free distribution of anti-diphtheric serum throughout the State as a preventive against the spread of diphtheria; \$8,000 per annum of this sum, or such part thereof as may be necessary to be expended in cities of 100,000 or more inhabitants; also the sum of \$3,000 per annum for the free treatment and sustenance of poor persons, certified as such by an overseer of the poor



or other officers in charge of the dispensation of public charity in the several counties of the State, and certified by a licensed physician to have been bitten or otherwise wounded by rabid animals and put in danger of infection from rabies (Hydrophobia). This sum to be expended according to the provisions of "An Act to provide for the treatment of poor persons afflicted with the disease called rabies," approved May 12, 1905.

Also the sum of \$2,500, or as much thereof as may be necessary, to defray the expenses incurred in the treatment of poor persons duly certified to have been bitten by rabid animals or otherwise put in danger from rabies, in the Pasteur Institute in Chicago, subsequent to January 1, 1911.

To the State Board of Health, also the sum of \$20,000 per annum, or as much thereof as may be necessary, for expenses of examination, investigation of colleges and State Board examinations, office and traveling expenses for members of the board, postage, clerical services, printing and binding, license certificates, fees returned, translations, incidental expenses, per diem of members of board, rating papers, special investigations, association dues, expenses in attending association meetings and meetings called on account of the enforcement of the medical practice and embalmers' acts: *Provided*, that no part of this sum to be expended for legal services.

For legal services for an attorney for the State Board of Health, \$5,000.

*Sixty-first*—To the State Food Commissioner, for expenses eight State Analysts, \$4,000 per annum; for expenses of 12 inspectors, \$12,000 per annum; for expenses of laboratory office, \$3,000 per annum; for rent of offices and laboratory, \$5,000 per annum; for postage, \$2,000 per annum; for expenses of State Food Commission, \$4,000 per annum; for express, telegraph, telephone and office expense, \$2,500 per annum; for expenses of attorney, \$500 per annum; for expenses of Food Standard Commission, \$2,000 per annum.

*Sixty-second*—To the State Highway Commission, for experimental work, preparation of road and bridge plans and estimates, collection of highway statistics, and all other expenses that may be necessary for the work of said commission, the sum of \$100,000 per annum.

*Sixty-third*—To the State Civil Service Commission, for salary of one assistant examiner, \$1,800 per annum; for one stenographer, \$1,200 per annum; for the bookkeeper, \$1,200 per annum; for one clerk, \$1,200 per annum; for one stenographer, \$1,100 per annum; for one stenographer, \$1,000 per annum; for one messenger, \$800 per annum; for traveling, office and all other expenses of the commission, chief examiner and the employes of the commission, the sum of \$11,000 per annum.

*Sixty-fourth*—To the Board of Prison Industries: Salary of sales manager, \$3,600 per annum; secretary, \$1,800 per annum; stenographer, \$1,200 per annum; two regular salesmen, \$1,500 each, \$3,000 per annum; traveling expenses for members of the board and salesmen,

\$600 per annum; traveling and other expenses for president of the board, \$400 per annum; office expenses, postage, expressage, telephone, freight, telegraphing, stationery, printing, janitor and commissions, \$900 per annum; estimated expense for printing and distribution of third edition of illustrated descriptive furniture catalogue, \$1,000.

*Sixty-fifth*—To the State Geological Commission, for the support of and extension of the Geological Survey of the State, the sum of \$25,000 per annum.

For making a survey of overflowed lands in Illinois the sum of \$7,500.

For study of the coal mining industry, accidents and wastes, in coöperation with U. S. Bureau of Mines and the University of Illinois, the sum of \$4,500 annually. (Preliminary arrangements already made).

For preparing and engraving illustrations and maps and for binding and printing special reports of the survey, all printing contracts to be approved by the printer expert, the sum of \$2,500 per annum.

For maintenance and equipment for the School of Ceramics at the University of Illinois, \$15,000 per annum.

*Sixty-sixth*—To the University of Illinois, for the payment of interest on the endowment funds of said university as provided by section 2 of the Act relating to said university, approved June 11, 1897, for the years 1911 and 1912, the sum of \$65,000, or so much thereof as may be necessary under the terms of said Act.

*Sixty-seventh*—To the Rivers and Lakes Commission, for organization, office expenses, clerk hire, and for the continuation of any work which may have been undertaken by the Internal Improvement Commission, and which may be assumed by the new commission, the sum of \$15,000 per annum.

*Sixty-eighth*—For repairs and improvements of the grounds around the monument erected by the State to the memory of the persons slain by the Indians on Indian creek, located in Shabonna Park, Freedom township, LaSalle county, the sum of \$1,000.

*Sixty-ninth*—The sum of forty thousand dollars, or so much thereof as may be required, for defraying all of the costs and expenses of presenting and prosecuting to final judgment an appeal of the case of People of Illinois ex rel, Charles S. Deneen and William H. Stead *versus* Economy Light and Power Company from the Supreme Court of the State of Illinois to the Supreme Court of the United States, and such appeal in such action is hereby authorized to be taken, by Charles S. Deneen and William H. Stead, in behalf of the People of Illinois.

The Auditor of Public Accounts is hereby authorized and directed to draw his warrant from time to time for such sum or sums as may be required to carry this into effect, upon itemized vouchers certified by the Attorney General and approved by the Governor of the State of Illinois, and the Treasurer is authorized to pay the same.

*Seventieth*—To the State Game Commissioner, one bookkeeper, \$1,800 per annum; two clerks, \$1,800 per annum each, \$3,600 per annum; one

clerk, \$1,500 per annum; two clerks, \$1,200 per annum each, \$2,400 per annum; one stenographer, \$1,200 per annum; two clerks, \$900 per annum each, \$1,800 per annum; one messenger, \$840 per annum; living expenses of State Game Commissioner as Superintendent of the State Game Farm, \$1,000 per annum; for salaries of game wardens and deputy game wardens, \$40,000 per annum; for telegraphing, telephoning and incidental expenses, the sum of \$8,000 per annum; for the printing of game licenses, game laws, applications, etc., \$7,000 per annum; for traveling expenses of game wardens and deputy game wardens, \$30,000 per annum; food and supplies for game birds and animals, \$15,000 per annum; for the purchase of game birds and animals, \$10,000 per annum; for salaries of two game keepers, \$1,200 per annum each, \$2,400 per annum; two game keepers, \$900 per annum each, \$1,800 per annum; two carpenters at \$1,200 per annum each, \$2,400 per annum; one shipping clerk at \$1,040 per annum; ten assistant game keepers, \$720 per annum each, \$7,200 per annum; ten laborers at \$720 per annum each, \$7,200 per annum; for rental of State Game Farm, \$3,200 per annum.

*Seventy-first*—To the Board of Administration: For chief clerk, \$2,500 per annum; for statistician, \$2,100 per annum; for general bookkeeper, \$1,800 per annum; for one male clerk and stenographer, \$1,500 per annum; one storekeeper and assistant bookkeeper, \$1,500 per annum; one clerk, \$1,500 per annum; two male stenographers and clerks, \$1,200 each per annum, \$2,400 per annum; three female stenographers, \$1,000 each per annum, \$3,000 per annum; one filing clerk, \$1,000 per annum; per diem of two reimbursing agents, \$1,565 each per annum, \$3,130 per annum; one messenger, \$900 per annum; one secretary of the Cherry Relief Commission, \$300 per annum; clerk hire tabulating bids and work in office, \$1,500 per annum.

To the Board of Administration: For traveling, office and all other expenses of the board and its employés, \$14,000 per annum.

To the Board of Administration: For expenses of the department of visitation of children placed in family homes; for two home visitors, \$1,200 each per annum, \$2,400 per annum; for one home visitor, \$900 per annum; for one stenographer and office assistant, \$1,000 per annum; for traveling expenses for State agent and home visitors, \$6,000 per annum; for office expense and all other expenses of State agent and his employés, \$1,000 per annum.

To the Board of Administration: For repairs, painting, rewiring, and cement walk at old arsenal used as a warehouse, the sum of \$2,500.

*Seventy-second*—To the Grand Army Hall and Memorial Association of Illinois: For the payment of salary of the Secretary and custodian, the sum of \$1,000 per annum; for maintaining an educational celebration of Lincoln's birthday, the sum of \$300 per annum; for furniture, fixtures and the obtaining and preservation of other museum exhibits, the sum of \$250 per annum; for rent Chicago Public Library,



laundry, soap, relief of permanent members of the association of average age of seventy years, from payment of annual dues, for incidentals, etc., the sum of \$350 per annum.

*Seventy-third*—To the Illinois State Board of Examiners of Architects: For the per diem and expenses of four members, \$2,800 per annum; for the salary of secretary-treasurer, \$1,500 per annum; for the salary of recorder-investigator, \$900 per annum; for salary of stenographer, \$750 per annum; for office rent, \$1,200 per annum; for attorneys' fees for legal services, \$750 per annum; for examination fees withdrawn, \$150 per annum; for traveling expenses of secretary-treasurer, \$200 per annum; for traveling expenses of recorder investigator, \$200 per annum; for printing and stationery, \$150 per annum; for biennial report and mailing same, \$200 per annum; for postage, \$80 per annum; for advertising examinations, \$60 per annum; for miscellaneous expenses, \$100 per annum.

*Seventy-fourth*—To the State Board of Dental Examiners: For secretary's salary, \$100 per month, \$1,200 per annum; for secretary's office rent, \$25 per month, \$300 per annum; salary of stenographer, \$75 per month, \$900 per annum; members, per diem, \$1,500 per annum; members, expenses, \$1,000 per annum; postage, \$250 per annum; printing, including licenses and certificates, \$250 per annum; national association dues and expenses attending session, \$300 per annum; contingent fund, \$150 per annum.

*Seventy-fifth*—To the Chief Inspector of Private Employment Agencies and the Commissioners of Labor—For superintendence and enforcing the law in relation to licensed employment agencies; for salary of one male clerk, \$1,000 per annum; for salary of one woman investigator of employment agencies conducted by women, \$900 per annum; for stenographer, \$900 per annum; for janitor, \$120 per annum; for rent of office, traveling expenses, telephone, postage, telegraph, expressage, and all other general expenses, \$1,000, or so much thereof as may be necessary.

*Seventy-sixth*—To the Barbers' State Board of Examiners: Salaries for three board members, \$3,600 per annum; for salary of one chief clerk, \$1,200 per annum; for salary of one stenographer, \$1,000 per annum; for salary of one clerk, \$1,000 per annum; for salary of six inspectors, \$1,000 each per annum, \$6,000 per annum; expenses accounts for three members making inspections and holding examinations throughout this State, \$1,750 per annum; office rent in Chicago, \$1,000 per annum; rent of examination rooms for holding examinations throughout the State, \$200 per annum; telephone service, \$400 per annum; gas and electric light, \$100 per annum; printing and office supplies, \$200 per annum; postage for mailing 10,000 renewals annually, license certificates, office correspondence, etc., \$400 per annum; incidentals, \$100 per annum; secretary's bond, \$75 per annum; public accountant, for auditing books, \$100 per annum.



*Seventy-seventh*—For salaries of State inspector of apiaries and assistants, the sum of \$1,500 per annum.

*Seventy-eighth*—To the State Board of Pharmacy: For the salary of one bookkeeper, \$1,800 per annum; for one inspector, \$1,800 per annum; for per diem of members of board, \$4,000 per annum; for expenses of members of board, officers and agents, \$2,500 per annum; for one clerk, \$1,200 per annum; for one stenographer, \$900 per annum; for extra clerk hire, \$280 per annum; for one janitor, \$300 per annum; for stationery supplies, office supplies, and incidental office expenses, \$300 per annum; for printing, \$300 per annum; for freight, drayage, telegraph, telephone and express, \$200 per annum; for postage, \$750 per annum; for rental Chicago office, light and janitor service therefor, \$1,200 per annum; for examination supplies, \$250 per annum.

*Seventy-ninth*—To the State Fire Marshal: For salaries for deputies, clerks, stenographers, special attorneys, janitor and other necessary employes, twenty-three thousand seven hundred dollars (\$23,700) per annum.

For traveling expenses of State Fire Marshal, assistant fire marshal, deputies, special attorneys, stenographers and other employes of the office, sixteen thousand eight hundred dollars (\$16,800) per annum.

For office rent, expense to clerks and other officers for reporting fires, telegraphing, telephoning, freight, expressage, postage, the purchase of furniture, typewriters, office supplies, printing and necessary printing paper, engraving and necessary paper, and the payment of other incidental expenses for the maintenance of the office, seven thousand two hundred dollars (\$7,200) per annum.

For stenographers' fees, transcribing court records and other work incident to investigations, inquiries, hearings and prosecutions, two thousand dollars (\$2,000) per annum.

The above moneys appropriated for the above and foregoing shall be paid by the State treasury [Treasurer] only out of the special fund paid into the State treasury in accordance with the provisions of section 12 of an Act entitled, "An Act creating the office of State Fire Marshal, prescribing his duties, and providing for his compensation and for the maintenance of his office," approved June 15, 1909, in force July 1, 1909.

*Eightieth*—To the State Board of Examiners of Registered Nurses: Compensation fees for meetings and holding of examinations, \$1,000 per annum; traveling expenses of board members in attendance upon meetings and examinations, \$500 per annum; salary of secretary, \$1,200 per annum; traveling expenses of secretary as inspector visiting schools for nurses throughout the State, \$500 per annum; office rent, \$120 per annum; printing, \$300 per annum; for stenographer, \$900 per annum; incidental expenses, \$500 per annum.

*Eighty-first*—To the Mine Rescue Station Commission: For equipment and maintenance of mine rescue stations and mine rescue cars, traveling expenses of men and of rescue cars, necessary traveling and

other expenses of the members of the Mine Rescue Commission, telegraph, telephone, postage, freight, expressage and other incidental office expenses and for the payment of one clerk, three assistants and three porters for the mine rescue cars and for the payment of lecturers upon First Aid and other technical subjects, the sum of \$30,000 per annum.

*Eighty-second*—To the Illinois Stallion Registration Board: For secretary's salary, \$1,600 per annum; for chief clerk, \$1,200 per annum; for assistant field superintendent, \$1,500 per annum; for stenographer, \$1,000 per annum; for janitor, \$180 per annum; for clerk hire, \$1,500 per annum; for veterinary services, \$800 per annum; for per diem of the board members, \$4,000 per annum; expenses of the board members, \$1,200 per annum; printing and stationery, \$2,000 per annum; for postage, \$1,500 per annum; for miscellaneous expenses, \$250 per annum.

*Eighty-third*—To Paul Pelletier, the sum of \$90 for services rendered.

*Eighty-fourth*—To the Committee of the House appointed by the Forty-sixth General Assembly for the purpose of investigating the subject and systems of building good roads, the sum of \$1,200.

*Eighty-fifth*—To the joint committee of the House and Senate on insurance and the codification of insurance laws appointed under House joint resolution number 26, the sum of \$5,000, or so much thereof as may be necessary.

*Eighty-fifth A*—For salary of the State Inspector of Apiaries, \$1,500 per annum.

*Eighty-sixth*—To the State Hotel Inspector, \$2,400 per annum; for traveling and office expenses of hotel inspectors, \$3,100 per annum; for three deputy hotel inspectors, \$1,200 each per annum, \$3,600 per annum.

*Eighty-seventh*—The sum of \$203.65, being the balance due to the following employés of the Senate of the Forty-sixth General Assembly whose services were retained by resolution at the special session of the Forty-sixth General Assembly, after the adjournment thereof, and who failed to receive the total amount because the appropriation was not sufficient: W. E. Savage, \$21.70; Grace M. Curtice, \$21.70; Oscar Becker, \$37.50; T. B. Scouten, \$32.60; S. Lee Call, \$21.70; Theresa Gorman, \$16.50; E. H. Hatfield, \$16.50; B. F. Savage, \$13.75; E. W. Osgood, \$21.70.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for all sums herein appropriated for the pay of clerks, secretaries, porters, messengers, janitors, watchmen, policemen, laborers, engineers, firemen, stenographers, curators, librarians and other employés, when not otherwise provided for by law, to be paid on monthly pay rolls duly certified to, respectively, by the heads of departments, or by boards of commissioners and trustees requiring the services of such employés; and for all other appropriations specified herein, warrants on the State Treasurer shall, when not otherwise provided by law, be drawn only on itemized bills, accompanied by receipted vouchers, showing the expenditure of moneys

named in the itemized bills, except for expenditures for railroad or street car fare. In cases of expenditures for railroad fares, the itemized bills must show from what point to what point traveled, and the amount paid for the same; said itemized bills to be certified to by the heads of departments; all sums disbursed from appropriations made to boards of commissioners, trustees, heads of departments and officers appointed by the Governor shall be paid upon complying with the following requirements: Bills for traveling expenses shall be certified to by heads of departments, boards of commissioners and trustees and approved by the Governor. All such bills must show items by dates and charges for transportation shall show from what point to what point traveled and the amount for the same. All charges for hotels, meals and incidental expenses shall be shown by dates. Bills for traveling expenses shall be itemized and made out on blanks as follows:

Date.	Transportation.		Fare.	Sleeping Car and Extra Fares.	Bus, Cab, Carriage and Car Fare.	Hotel and Meals.	Incidentals.		Total.
	From	To					Item.	Am't.	
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
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All bills for traveling expenses shall be certified to by the party making the charge, as follows:

I certify that the above account is correct and just; that the detailed items charged within are taken and verified from a memorandum kept by me; that the amounts charged for subsistence were actually paid, and the expenses were occasioned by official business or unavoidable delays, requiring my stay at hotels for the time specified; that I performed the journey with all practicable dispatch, by the shortest route usually traveled, in the customary reasonable manner, and that I have not been furnished with transportation, or money in lieu thereof, for any part of the journey herein charged for.

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Pay rolls for commissioners, trustees and officers appointed by the Governor shall be certified to by heads of departments and approved by the Governor. All other bills for these departments shall be paid only on itemized accounts accompanied by receipted vouchers and approved by the Governor.

The Auditor is hereby authorized and it is made his duty, to refuse any warrant or warrants when any of the provisions of this Act are not strictly complied with.

APPROVED June 10, 1911.

## ARCHITECTS.

## PRACTICE OF ARCHITECTURE—ACT 1897 AMENDED.

§ 1. Amends sections 2, 4 and 10, Act of 1897.

§ 2. Organization of board—  
officers — duties—  
salary of secretary—  
per diem of members.

§ 4. Examination — license—  
fee.

§ 10. Revocation of license—  
investigations — rein-  
statements — produc-  
tion of evidence —  
perjury.

(SENATE BILL No. 234. APPROVED MAY 26, 1911.)

AN ACT to amend sections two (2), four (4) and ten (10) of an Act entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, as amended by an Act approved April 19, 1899, in force July 1, 1899.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections two (2), four (4) and ten (10) of an Act entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897; as amended by an Act approved April 19, 1899, in force July 1, 1899, be and the same are hereby amended so as to read as follows:

§ 2. The members of the State Board of Examiners of Architects shall, before entering upon the discharge of their duties, make and file with the Secretary of State the constitutional oath of office. They shall, as soon as organized, and annually thereafter in the month of January, elect from their number a president and secretary, who shall also be the treasurer. The treasurer, before entering upon his duties, shall file a bond with the Secretary of State for such sum as shall be required of him by said Secretary of State, and in such form and with such securities as may be approved by the Governor of the State. The board shall adopt rules and regulations not inconsistent with this Act to govern its proceedings, and also a seal; and the secretary shall have the care and custody thereof; and he shall keep a record of all the proceedings of the board, which shall be open at all times to public scrutiny, and the board shall cause the prosecution of all persons violating any of the provisions of this Act, and may incur necessary expense in that behalf. The secretary of the board shall receive a salary which shall be fixed by the board. He shall receive his traveling and other expenses incurred in the performance of his official duties. The other member[s] of the board shall receive the sum of ten dollars (\$10.00) for each day actually engaged in this service, and all legitimate and necessary expenses incurred in attending the meetings of said board.

§ 4. Provision shall be made by the board hereby constituted for holding examinations at least twice in each year of applicants for license to practice architecture, and any person over twenty-one years of age,



upon payment of a fee of fifteen dollars (\$15.00) to the secretary of the board, shall be entitled to an examination for determining his or her qualifications. All examinations shall be made directly by said board, or a committee of two members delegated by the board, and due notice of the time and place of the holding of such examinations shall be published, as in the case provided for the publication of the rules and regulations thereof. The examination shall have special reference to the construction of buildings, and a test of the knowledge of the candidate of the strength of materials and of his or her ability to make practical application of such knowledge in the ordinary professional work of an architect, and in the duties of a supervisor of mechanical work on buildings, and should also seek to determine his or her knowledge of the laws of sanitation as applied to buildings. If the result of the examination of any applicant shall be satisfactory to a majority of the board, under its rules, the secretary shall, upon an order of the board, issue to the applicant a certificate to that effect, and upon payment to the secretary of the board by the candidate of a fee of twenty-five dollars (\$25.00), he shall thereupon issue to the person therein named a license to practice architecture in the State, in accordance with the provision of this Act, which license shall contain the full name, birthplace and age of the applicant, and be signed by the president and secretary, and sealed with the seal of the board. All papers received by the secretary in relation to applications for license shall be kept on file in his office, and a proper index and record thereof shall be kept by him.

§ 10. Architects' license issued in accordance with the provisions of this Act shall remain in full force until revoked for cause, as hereinafter provided. Any license so granted may be revoked by unanimous vote of the State Board of Examiners of Architects for gross incompetency or recklessness in the construction of buildings, or for dishonest practices on the part of the holder thereof, but before any license shall be revoked such holder shall be entitled to at least twenty days' notice of the charge against him, and of the time and place of the meeting of the board for the hearing and determining of such charge. And on the cancellation of such license it shall be the duty of the secretary of the board to give notice of such cancellation to the county clerk of each county in the State in which the license has been recorded, whereupon the clerks of the counties shall mark the license recorded in his office canceled. After the expiration of six months from the revocation of a license, the person whose license was revoked may have a new license issued to him by the secretary upon certificate of the Board of Examiners, issued by them upon satisfactory evidence of proper reasons for his reinstatement and upon payment to the secretary of the fee of five dollars (\$5.00).

For the purpose of carrying out the provisions of this Act relating to the revocation of licenses, the board and each member thereof shall have the power to administer oaths, and said board shall have the power

to secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers, relevant to any investigations by the board for the purpose of carrying out the provisions of this Act, relating to the revocation of licenses. Witnesses shall be entitled to the same fees as witnesses in a court of record to be paid in like manner. The accused shall be entitled to the subpoena of the board for his witnesses, and to be heard in person or by counsel in open public trial. Any circuit court of this State or any judge thereof, either in term time or vacation, upon application of such board, may in its discretion by order duly entered by such court or judge thereof, require the attendance of witnesses, the production of books and papers and giving of testimony before such board, and upon refusal or neglect to so appear and testify and produce such books and papers as commanded by such order of court or of any judge thereof, may compel, by an attachment for contempt of court or otherwise, the attendance of such witnesses, the production of such books and papers and the giving of such testimony before such board, in the same manner as production of evidence may be compelled before said court. Every person, who, having taken an oath or made affirmation before said board, shall wilfully swear of [or] affirm falsely, shall be guilty of perjury and upon conviction shall be punished accordingly.

APPROVED May 26, 1911.

## CANALS, LAKES AND RIVERS.

### RIVERS AND LAKES COMMISSION.

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|---|---|
| § 1. Appointment of commission—chairman.      | § 14. Pollution of streams.                           |
| § 2. Classification of members.               | § 15. Office a repository for data.                   |
| § 3. Term of office—removal.                  | § 16. Beautifying bodies of water.                    |
| § 4. Salaries—expenses.                       | § 17. Reclamation and drainage data.                  |
| § 5. Jurisdiction—duties—list of waters.      | § 18. Approval of structures in waters.               |
| § 6. Surveys, maps, etc.—report of findings.  | § 19. Public preserves or reservations.               |
| § 7. Supervision—encroachments.               | § 20. Water power data.                               |
| § 8. Complaint—hearings.                      | § 21. Natural resources—bulletins.                    |
| § 9. Complaints as to navigation.             | § 22. Navigability—fish propogation.                  |
| § 10. Complaints as to docks, wharves, etc.   | § 23. Flood waters—investigation.                     |
| § 11. Navigability data, etc.                 | § 24. Shore lines of Lake Michigan and Chicago river. |
| § 12. Deep waterways data, etc.               | § 25. Enforcement of Act.                             |
| § 13. Investigation of encroachments—actions. | § 26. Rights of the people.                           |
|   | § 27. Construction of Act.                            |
|   | § 28. Repeal.   |

(HOUSE BILL NO. 424. APPROVED JUNE 10, 1911.)

AN ACT creating a rivers and lakes commission for the State of Illinois, and defining the duties and powers thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor of the State of

Illinois shall forthwith after the taking effect of this Act, appoint a Rivers and Lakes Commission in and for the State of Illinois, whose powers and duties shall be as specified herein, and the Governor shall at the time of the appointment of said commission, as herein provided, designate one member thereof, who shall be the chairman of said commission, and shall thereafter name the successor of the said chairman as the vacancy occurs.

§ 2. The members of said Rivers and Lakes Commission shall consist of three members, not more than two of whom shall be of the same political party. This commission shall consist of one civil engineer of recognized standing in his profession, one lawyer of active practice and of large experience in his profession, and one person who shall be neither a lawyer nor a civil engineer, who is intimately acquainted with the rivers and lakes of Illinois.

§ 3. One of said members shall be appointed for a term of one year, one for a term of two years, and one for a term of three years, and as the terms of the respective members expire, their successors shall be appointed for periods of three years each, and shall serve for such time, unless sooner removed by the Governor of this State for good cause, which may satisfy him that it is not desirable that said member shall no longer continue to serve upon said commission.

§ 4. The salary of the chairman of the commission shall be five thousand dollars (\$5,000.00) per annum, of each of the other members of said commission shall be \$3,500.00 per annum, and each of said members shall devote his entire time to the duties of said commission.

In addition to the salary hereinbefore specified, each of [the] members of said commission shall receive his actual traveling and individual expenses while engaged in the performance of the duties of said commission.

§ 5. Said Rivers and Lakes Commission shall upon behalf of the State of Illinois, have jurisdiction and supervision over all of the rivers and lakes of the State of Illinois, wherein the State of Illinois or the People of the State of Illinois have any rights or interests, and it shall be the duty of said commission to make a list by counties of all the waters of Illinois, showing the waters, both navigable and non-navigable, that are found in each and every county of the State of Illinois, and if the same are lakes, the extent of the shore lines and the amount, extent and area of the water surface; and in a like way, if the same are rivers, and specifying whether the same are navigable or non-navigable, and whether the same, or any of the same have or have not been meandered.

§ 6. It shall be the duty of the said Rivers and Lakes Commission to obtain all possible data with reference to all of the waters of the State of Illinois, including original surveys, meander notes, maps, plats, river gauges, high and low water marks, and all and every source of information which will tend to disclose or establish the rights of the



People of the State of Illinois with reference to each body of water in the State of Illinois, and shall from time to time make public report of their findings.

§ 7. It shall be the duty of said commission to have a general supervision of every body of water within the State of Illinois, wherein the State or the People of the State have any rights or interests, whether the same be lakes or rivers, and at all times to exercise a vigilant care to see that none of said bodies of water are encroached upon, or wrongfully seized or used by any private interest in any way, and from time to time for that purpose, to make accurate surveys of the shores of said lakes and rivers, and to jealously guard the same in order that the true and natural conditions thereof may not be wrongfully and improperly changed to the detriment and injury of the State of Illinois and its citizens.

Each and every encroachment upon the shores or waters of any stream or lake of the State of Illinois shall be inquired into by this commission, and wherever they are of the opinion that any stream or lake or other body of water in which the State of Illinois has an interest, is being encroached upon or wrongfully invaded, it shall be their duty in the name, and by the authority of and upon the behalf of the State of Illinois, to take such acts or actions and to commence such suit or suits as may be calculated to protect the interests of the State of Illinois and its citizens, and for that purpose, they are fully authorized upon behalf of the State of Illinois, to carry on all necessary suits or actions to accomplish such purpose, and are hereby invested fully with all the powers of the State of Illinois in that behalf, and to that end.

§ 8. It shall be the duty of the Rivers and Lakes Commission of Illinois to receive from any citizen, complaints as to any invasion of or encroachment upon any rights of the State of Illinois, or of any citizen of the State of Illinois, with reference to any of the public bodies of water of the State of Illinois, or as to any interference with the right or claim of any citizen to use or enjoy any public water of this State, and upon being requested so to do, the said Rivers and Lakes Commission shall hold a public hearing for the purpose of taking evidence with reference to the subject matter of said complaint, and of hearing all persons who may appear upon behalf of, or in opposition to said petition, and at the conclusion of such hearing, they shall render an opinion setting forth the views of said Rivers and Lakes Commission with reference to the subject matter thereof. Said opinion shall not be considered or regarded as a judgment or order having the force or effect of any judgment, but shall be held and taken to be the opinion of said Rivers and Lakes Commission with reference to the rights so involved, and shall be for the guidance of parties who may be concerned therein, and for the information of the public with reference thereto.

§ 9. It shall be the duty of the Rivers and Lakes Commission to carefully investigate any and all complaints that may be made that any person, company or corporation is attempting to interfere with the free



and unobstructed navigation of any of the public bodies of water of the State of Illinois, and if they find that such complaint is well founded they shall take such appropriate action as may be required to prevent such wrongful interference with such navigation.

§ 10. It shall also be the duty of said Rivers and Lakes Commission to investigate any and all complaints within the State of Illinois that any person, company, association or corporation is attempting to assert any unlawful rights or exclusive privileges or franchises with reference to docks, landings, wharves, or the free and unobstructed access to, or egress from any navigable body of water in the State of Illinois, and if they find upon investigation that any such complaint is well founded, they shall proceed upon behalf of the State of Illinois to take such action as may be necessary to correct the wrongful act or evil so complained of.

§ 11. It shall be the duty of the Rivers and Lakes Commission of Illinois to obtain all possible data, surveys, charts, high and low water marks, and river gauges, and information with reference to the navigability of any of the public bodies of water of the State of Illinois, and to keep the same at all times available for public inspection, and to aid in extending the navigation of any of the public bodies of water of the State of Illinois. Any such information shall be furnished at its actual cost at any time to any person so desiring the same. Certified copies of such data shall be received in court as evidence of the facts thereby shown.

§ 12. It shall be the duty of said Rivers and Lakes Commission to procure and collect all obtainable data with reference to deep waterways within the State of Illinois, and from time to time disseminate information with reference thereto, and to take such action as will permit and encourage every available use of the public bodies of water of the State of Illinois, for navigation and carrying trade, both of commerce and passenger.

§ 13. It shall be the duty of said commission to make a careful investigation of each and every body of water, both river and lake, in the State of Illinois, and to ascertain to what extent, if at all, the same have been encroached upon by private interests or individuals, and wherever they believe that the same have been so encroached upon, to commence appropriate action either to recover full compensation for such wrongful encroachment, or to recover the use of the same, or of any lands improperly or unlawfully made in connection with any public river or lake for the use of the People of the State of Illinois. The right and authority hereby given and created shall not be held to be exclusive, or to take from the Attorney General or any other law officer of the State of Illinois, the right to commence suit or action.

§ 14. It shall be the duty of said Rivers and Lakes Commission to see that all of the streams and lakes of the State of Illinois wherein the State of Illinois or any of its citizens has any right, or interest, are not polluted or defiled by the deposit or addition of any injurious sub-

stances, and that the same are not affected injuriously by the discharging therein of any foul or injurious substances, so that fish or other aquatic life is destroyed.

Nothing herein shall be construed to prevent the sanitary district or any other lawfully organized drainage district, from discharging its drainage into any of the rivers of the State of Illinois, under authority conferred upon it or them so to do by the Legislature of this State.

§ 15. It shall be the duty of said Rivers and Lakes Commission to obtain and preserve in its office, all obtainable data with reference to the rivers and lakes of Illinois, and to make such office a repository thereof, and all of such records and data shall be public and be available for the use of any person who may be interested therein; and certified copies thereof shall be received in court as evidence of the facts therein set forth.

§ 16. It shall be the duty of the Rivers and Lakes Commission to plan and devise methods, ways and means for the preservation and beautifying of the public bodies of water of the State of Illinois, and for making the same more available for the use of the public, and they shall from time to time report their findings and conclusions to the Governor and the General Assembly of the State of Illinois, and shall from time to time submit to the General Assembly of the State of Illinois, drafts of such measures as they may deem necessary to be adopted by the Legislature of this State for the accomplishment of such purpose, or for the protection of such bodies of water.

§ 17. It shall be the duty of said Rivers and Lakes Commission to furnish at its actual cost to any person or persons who may be desirous of reclaiming, draining or cultivating any wash or overflowed lands in connection with any of the public waters of the State of Illinois, any and all data which they may have in their possession, showing surveys, elevations, contours, cost of construction of levees, plans therefor, and information with reference thereto, and shall so fully as may be, advise with, aid and assist in any and all enterprises looking towards the reclamation or drainage of lands wherever in their judgment the same may be attempted without detriment to the interests of the State of Illinois, or the public, in any of said bodies of water.

§ 18. It shall be the duty of any and all persons desiring to make any improvements, or erect any work or structure in any of the public bodies of water of the State of Illinois, to submit the same to the Rivers and Lakes Commission for their approval before being authorized to construct such improvement, work or structure, and it shall be the duty of said Rivers and Lakes Commission to protest to the War Department of the United States government against granting any permits for the construction of any improvement or work in connection with the navigation of any navigable body of water in the State of Illinois, where they believe that the granting of such permission would prove injurious to the rights and interests of the people of the State of Illinois.

§ 19. It shall be the duty of said Rivers and Lakes Commission to from time to time prepare and devise schemes, plans, ways and means for the reservation by the State of desirable tracts of land in connection with the public waters of the State of Illinois, to the end that public reservations or preserves may be made along said public bodies of water for the use of all of the people of the State of Illinois, for pleasure, recreation and sport, and to recommend to the Legislature, from time to time, such measures as in their judgment will make effective the plan for the creation of such public reservations, and as such reservations of [or] preserves made may be made from time to time, the same shall be under the jurisdiction of the Rivers and Lakes Commission.

§ 20. It shall be the duty of said commission to obtain data and information as to the availability of the various streams of Illinois for water power, and to preserve all data obtainable in connection therewith, and to report to the Governor and the General Assembly of the State such facts as to the amount of water power which can be so developed, from time to time, as in their judgment should be communicated, looking to the preservation of the rights of the State of Illinois in the water power and navigation of this State.

§ 21. It shall be the duty of said commission to make particular research into the natural resources of the State of Illinois in connection with any of the public bodies of water of the State of Illinois, and to obtain, classify and preserve all data which may be procurable in connection therewith, and from time to time disseminate for the information of the People of the State of Illinois, by way of bulletins or publications, such information as they may be able to thus obtain.

§ 22. It shall be the duty of said Rivers and Lakes Commission to obtain from time to time all possible data with reference to the navigability of the public waters of the State of Illinois, and with reference to the cultivation and propagation of fish and to that end they shall coöperate with the Fish Commission of the State of Illinois, to devise ways and plans and means for the purpose of making the public bodies of water of the State of Illinois more effective for the production of a cheap food supply in the way of various fish which may be cultivated or propagated in these bodies of water.

§ 23. It shall be the duty of said Rivers and Lakes Commission to make a careful investigation of the streams of the State of Illinois with reference to the carrying capacity of the streams in times of flood, and under normal conditions. It shall also be its duty to vigilantly observe that the carrying capacity of the streams is not limited and impaired by encroachments thereon to the point where the same cannot safely dispose of the flood waters which may naturally, lawfully and properly be discharged therein, and if encroachment is made thereon to the degree that such encroachments constitute a menace to the property or safety of the people of this State by reason of checking the flood waters of said streams, to take such action as may be required by injunction, or otherwise, to prevent the erection of such encroachments or structures.



§ 24. It shall be the duty of said Rivers and Lakes Commission to carefully examine the shore lines of Lake Michigan and the Chicago river, not less than four times in each year, for the purpose of seeing that encroachments are not made upon these bodies of water, and for the purpose of seeing and determining whether or not land is being made that does not encroach upon said lake or said river. And it shall be the duty of said commission at all times to see that the waters of Lake Michigan and the Chicago river are in no way invaded or trespassed upon by the erection of any structure or structures which may not be expressly authorized by the General Assembly of the State of Illinois.

§ 25. The Attorney General of the State of Illinois, or any State's attorney of any county of the State of Illinois, or any attorney who may be authorized so to do by the said Rivers and Lakes Commission, shall have the power to represent the said Rivers and Lakes Commission, and in the name and by the authority of the State of Illinois, to invoke for the purposes specified in this Act, all of the power of the State of Illinois to prevent the wrongs and injuries herein referred to, and for that purpose, such Attorney General, State's attorney or authorized attorney shall be deemed to be the proper representative of the State of Illinois, with full power and authority upon its behalf to prosecute all necessary suits or actions.

§ 26. Said Rivers and Lakes Commission shall, for the purpose of protecting the rights and interests of the State of Illinois, or the citizens of the State of Illinois, have full and complete jurisdiction of every public body of water in the State of Illinois, subject only to the paramount authority of the government of the United States with reference to the navigation of such stream or streams, and the laws of Illinois, but nothing in this Act contained shall be construed or held to be any impairment whatsoever of the rights of the citizens of the State of Illinois to fully and in a proper manner, enjoy the use of any and all of the public waters of the State of Illinois, and the creation of said commission shall be deemed to be for the purpose of protecting the rights of the people of the State in the full and free enjoyment of all of such bodies of water, and for the purpose of preventing unlawful and improper encroachment upon the same, or impairment of the rights of the people with reference thereto, and every proper use which the people may make of the public rivers and streams and lakes of the State of Illinois shall be aided, assisted, encouraged and protected by the Rivers and Lakes Commission herein provided for.

And should said commission, or any member thereof, attempt to interfere with any valid right upon the part of the people of this State, any appropriate action shall lie against said Rivers and Lakes Commission or any member thereof, to inquire into the legality and validity of such Act.



§ 27. At all times this Act shall be construed in a liberal manner for the purpose of preserving to the State of Illinois and the People of the State, fully and unimpaired, the rights which the State of Illinois and the People of the State of Illinois may have in any of the public waters of the State of Illinois, and to give them in connection therewith, the fullest possible enjoyment thereof, and to prevent to the fullest extent, the slightest improper encroachment or invasion upon the rights of the State of Illinois, or any of its citizens with reference thereto.

§ 28. Any and all Acts or parts of Acts in conflict herewith are hereby repealed.

APPROVED June 10, 1911.

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## CEMETERIES.

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### BURIAL LOTS—CARE, REPAIR, ETC.

§ 1. Adds section 2, Act of 1899.

§ 2. Authorizes trust funds and contracts for care, maintenance, repair, etc.

(SENATE BILL NO. 437. APPROVED JUNE 5, 1911.)

AN ACT to amend an Act entitled, "*An Act in relation to the conveyance, use and preservation of burial lots in cemeteries,*" approved April 21, 1899, in force July 1, 1899, by adding thereto a new section to be known as section 2.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act in relation to the conveyance, use and preservation of burial lots in cemeteries,*" approved April 21, 1899, in force July 1, 1899, be and the same is hereby amended by adding thereto the following section, to be known as section 2:

§ 2. That every such company or association incorporated for cemetery purposes under any general or special law of the State of Illinois may receive, by gift, devise, bequest, or otherwise, moneys or real or personal property, or the income or avails of such moneys or property, in trust, in perpetuity, for the perpetual and permanent improvement, maintenance, ornamentation, repair, care and preservation of any burial lot or grave, vault, tomb, or other such structures, in any cemetery owned or controlled by such cemetery company or association, upon such terms and in such manner as may be provided by the terms of such gift, devise, bequest, or other conveyance of such moneys or property in trust and assented to by such company or association, and subject to the rules and regulations of such company or association, and every such company or association owning or controlling any such cemetery may make contracts with the owner or owners or legal representatives of any lot, grave, vault, tomb, or other such structure in such cemetery,

for the perpetual and permanent improvement, maintenance, ornamentation, care, preservation and repair of any such lot, grave, vault, tomb, or other such structure in such cemetery owned or controlled by such cemetery company or association.

APPROVED June 5, 1911.

#### TRUSTEES AND OFFICERS OF CEMETERY ASSOCIATIONS.

§ 1. Amends section 4, Act of 1903.

§ 4. As amended, restricts county judge in appointments of trustees.

(HOUSE BILL No. 137. APPROVED MAY 25, 1911.)

AN ACT to amend section four (4) of an Act entitled, "An Act to provide for the organization, ownership, management and control of cemetery associations," approved May 14, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 4 of an Act entitled, "An Act to provide for the organization, ownership, management and control of cemetery associations," approved May 14, 1903, in force July 1, 1903, be, and the same is hereby amended to read as follows:

§ 4. That said persons so receiving said certificate of organization of said association shall proceed to elect from their own number a board of trustees for said association, which said board shall consist of not less than six (6) nor more than ten (10) members, as said persons so receiving said certificate may determine; that said trustees when elected shall immediately organize by electing from their own membership a president, vice president and treasurer, and shall also elect a secretary, who may or may not be a member of said board of trustees, in their discretion, which said officers shall hold their respective offices for and during the period of one (1) year, and until their successors are duly elected and qualified. Said trustees when so elected shall divide themselves by lot into two classes, the first of which shall hold their offices for and during the period of three (3) years, and the second of which shall hold their offices for and during the period of [six] (6) years, and that thereafter the term of office of said trustees shall be six (6) years, and that upon the expiration of the term of office of any of said trustees, or in case of the resignation or death or removal from the State of Illinois of any of said trustees, or their removal from office as provided in this Act, the remaining trustees, or a majority of them, shall notify the county judge in which said cemetery is situated, of such vacancy or vacancies in writing and thereupon said county judge shall appoint some suitable person or persons to fill such vacancy or vacancies; and that thereafter the county judge of the county in which said cemetery association is located shall always appoint some suitable person or persons as trustees: *Provided, however,* that in making such appointments the said county judge shall so exercise his power that at least two-thirds (2-3) of said trustees shall be selected from suitable persons residing within fifteen (15) miles of said cemetery, or some part thereof,

and the other appointees may be suitable persons interested in said cemetery association through family interments or otherwise who are citizens of the State of Illinois.

APPROVED May 25, 1911.

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## CHARITIES.

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### BOARD OF ADMINISTRATION—POWER OF EMINENT DOMAIN.

§ 1. Board of Administration given power to exercise right of eminent domain.

(HOUSE BILL NO. 9. APPROVED MAY 27, 1911.)

AN ACT *conferring upon the Board of Administration of the State of Illinois the power to condemn and take real estate as therein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Board of Administration, created a body corporate under and by the name of "The Board of Administration" by virtue of an Act entitled "An Act to revise the laws relating to charities and making an appropriation to carry out the provisions thereof," approved June 15, 1909, part of act in force July 1, 1909, and part in force January 1, 1910, be and the same is hereby empowered to acquire title to any real estate for which it shall be unable to agree with the owner for the purchase thereof and which may be required for the use of any of the State Charitable Institutions of which said board has control and management, in the manner that may be now or hereafter provided for by an Act entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and any Act or Acts amendatory thereto.

APPROVED May 27, 1911.

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### BOARD OF ADMINISTRATION—SUPERVISING ENGINEER.

§ 1. Appointment by Board of Administration—compensation.

(HOUSE BILL NO. 658. APPROVED JUNE 10, 1911.)

AN ACT *creating the office of Supervising Engineer for the General Assembly, its members and committees and the Board of Administration of the State of Illinois, and fixing his compensation.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby created the office of Supervising Engineer whose duties shall be to consult with and advise the General Assembly, its members and committees and the Board of Administration in all matters required in the construction, repair, equipment and economical management of the State institutions, and to prepare such drawings, plans, specification and estimates for the foregoing purposes as may be required. Said Supervising Engineer shall be appointed and subject to removal by the Board of Administra-

tion in like manner as the superintendents or managing officers of the State charitable institutions are now appointed or removed and shall not be included in the classified service of the State. The compensation of said Supervising Engineer shall be and is hereby fixed at four thousand dollars (\$4,000) per annum to be paid out of any money in the State treasury not otherwise appropriated. The Auditor of Public Accounts is hereby authorized and directed to issue warrants for such compensation and the State Treasurer is authorized and directed to pay the same out of any such money not otherwise appropriated. Said engineer shall devote his entire time to the duties of his position and shall hold no other lucrative office nor follow any gainful profession, occupation or employment, and shall reside at the State Capital, and shall be allowed his actual traveling expenses incurred in official business to be paid on bills approved by the Board of Administration out of any funds appropriated for said board.

APPROVED June 10, 1911.

#### CHILDREN IN FAMILY HOMES—STATE AGENT.

§ 1. Amends section 3, Act of 1905.

§ 3. As amended, changes salary of State Agent.

(HOUSE BILL NO. 27. APPROVED MAY 27, 1911.)

AN ACT to amend section 3 of an Act entitled "An Act to provide for the visitation of children in family homes," approved May 13, 1905, in force July 1, 1905, as amended by an Act approved May 25, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of an Act entitled "An Act to provide for the visitation of children placed in family homes," approved May 13, 1905, in force July 1, 1905, as amended by an Act approved May 25, 1907, in force July 1, 1907, be and the same is hereby amended so as to read as follows:

§ 3. It shall be the duty of the State Board of Public Charities to appoint a State Agent who shall receive a salary of \$2,000.00 per annum, in addition to his actual and necessary traveling expenses incurred in the performance of his official duties; and to appoint such number of visitors, not exceeding four, and pay such compensation for such visitors as shall be approved by the Governor, such compensation to be paid in addition to the actual and necessary traveling expenses incurred by said visitors in performance of their official duties. These visitors shall be discreet men and women selected with special view to their wisdom and fitness for visiting children and shall be appointed by civil service procedure and shall be subject to the provisions of the State civil service law. The State Board of Charities is also hereby authorized and empowered to appoint such other employes as are necessary



to perform the clerical work and other office work of the State Agent and to pay said employ  s from the incidental expense appropriation made for the department for the visitation of children.

APPROVED May 27, 1911.

#### JUVENILE COURTS—FUNDS TO PARENTS.

   1. Amends section 7, Act of 1907.

   7. As amended, provides for funds to parent or parents.

(SENATE BILL NO. 403. APPROVED JUNE 5, 1911.)

AN ACT to amend an Act entitled, "*An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms, and to provide for the treatment, control, maintenance, adoption and guardianship of the person of such children,*" approved June 4, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 7 of the Act entitled "*An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and to provide for the treatment, control, maintenance, adoption and guardianship of the person of such children,*" approved June 4, 1907, be and the same is hereby amended so as to read as follows:

   7. If the court shall find any male child under the age of seventeen years or any female child under the age of eighteen years to be dependent or neglected within the meaning of this Act, the court may allow such child to remain at its own home subject to the friendly visitation of a probation officer, and if the parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian of such child are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate or discipline such child, and that it is for the interest of such child and the people of this State that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian of the person of such child, some reputable citizen of good moral character and order such guardian to place such child in some suitable family home or other suitable place, which such guardian may provide for such child or the court may enter an order committing such child to some suitable State institution, organized for the care of dependent or neglected children, or to some training school or industrial school or to some association embracing in its objects the purpose of caring for or obtaining homes for neglected or dependent children, which association shall have been accredited as hereinafter provided.

If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the

amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay to such parent or parents, at such times as said order may designate the amount so specified for the care of such dependent or neglected child until the further order of the court.

APPROVED June 5, 1911.

SOLDIERS' AND SAILORS' HOME—ADMISSION AND TRANSFER OF WIFE.

§ 1. Amends sections 3a and 3d, Act of 1885.

§ 3a. Rules for admission of wife.

§ 3d. Death of husband—wife may remain or be transferred.

(HOUSE BILL NO. 283. APPROVED JUNE 5, 1911.)

AN ACT to amend sections 3a and 3d of an Act entitled, "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as added by an Act approved May 13, 1903, in force July 1, 1903, and as amended as to said Section 3a by an Act approved May 25, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 3a and 3d of an Act entitled, "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as added by an Act approved May 13, 1903, in force July 1, 1903, and as amended as to said section 3a by an Act approved May 25, 1907, in force July 1, 1907, be and the same are hereby amended so as to read as follows:

§ 3a. When any person who has been a soldier or a sailor is an inmate or becomes an inmate of the Soldiers' and Sailors' Home at Quincy, the wife of such soldier or sailor shall be admitted as an inmate of said home subject to the rules and regulations of said home governing the admission of applicants: *Provided*, said wife and soldier or sailor were married prior to January 1, 1890, or said wife before her present marriage and prior to January 1, 1890, had been previously married to a soldier or sailor of the War of the Rebellion, the Mexican war or the Spanish-American war: *And, provided, further*, said wife shall be of the age of fifty years or over.

§ 3d. Upon the death of any soldier or sailor who is or may be an inmate of said home, the widow of such soldier or sailor shall be transferred to and be received into the Soldiers' Widows' Home at Wilmington, if she so desires, or, if she so desires, she may thereafter, during her natural life remain in said Soldiers' and Sailors' Home, subject to the rules and regulations of said home.

APPROVED June 5, 1911.

## STATE HOSPITAL FOR INSANE—CREATION.

Preamble.

§ 3. Plans.

§ 1. Creation—name—location.

§ 4. Superintendent of construction.

§ 2. Acquisition of site—eminent domain.

§ 5. Total cost.

(HOUSE BILL NO. 630. APPROVED JUNE 7, 1911.)

AN ACT *providing for the locating, constructing and completing of a State hospital for the insane and providing for the creation thereof.*

WHEREAS, The total population of all the hospitals for insane in Illinois now aggregates twelve thousand (12,000) persons; and,

WHEREAS, All these institutions are now overcrowded far beyond reasonable proportions, many patients are sleeping upon beds and cots upon the floors and others are occupying dormitories that are too small for the number; and,

WHEREAS, The net gain in insane alone each year is from 400 to 500; and,

WHEREAS, In recent years the new building at the State institutions for the insane has not increased as fast as the population; and,

WHEREAS, The State has inaugurated the policy of removing all adjudged insane from the county almshouses and caring for them in State hospitals free from expense of every sort to the county; and,

WHEREAS, The authorities over these existing State hospitals for the insane are now at the end of their resources to care for, humanely and adequately, the great army of new insane, who demand treatment and custody; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby created and established a State hospital for the insane to be known by such name as shall hereafter be given as its designation by the State Board of Administration. The said hospital shall be located upon grounds to be selected by said Board of Administration as hereinafter provided. It shall be the duty of said board to so locate said hospital in the most favorable situation in the State to properly care for the insane not now adequately provided for and for such number of insane patients as may require in the future.

§ 2. The Board of Administration is hereby authorized and directed to acquire a proper site for the location of said hospital of not less than one thousand (1,000) acres of tillable farm lands convenient or adjacent to said site. If said board shall be unable to acquire said site and lands or any part thereof by agreement with the owner or owners for the purchase of the same for the purposes enumerated in this Act, the said Board of Administration may thereupon proceed to acquire such lands and the title thereto in the manner that may be now or hereafter provided for by an Act entitled, 'An Act to provide for the exercise of the right of eminent domain,' approved April 10, 1872, in force July 1, 1872, and any and all Act or Acts amendatory thereto.

§ 3. After the acquisition of the site and lands provided for in section 2 of this Act, the Board of Administration shall cause to be prepared by the State Architect and his consulting engineer a plan for the erection of all buildings necessary for the care and comfort of not to exceed fifteen hundred (1,500) inmates, together with suitable quarters for a superintendent, officers and employés; that all of the buildings provided for in this Act shall be of the most approved type of fire-proof construction, plain, durable, and free from unnecessary ornamentation; that the plan shall provide all necessary heating, lighting, power, ventilating, water supply, and drainage appliances, and all other necessary things to insure an institution adequate for the purposes intended and sanitary in all respects.

§ 4. That when the plans and specifications provided for in this Act shall have been completed and approved by the Board of Administration, it shall be the duty of the said board to appoint a superintendent for the said institution, who shall be a person reputably skilled by experience in the construction of hospitals for the insane, who shall be the representative of the Board of Administration, subject in all things to their direction and control, and who shall be in active supervision of the work of erection from the beginning. All construction shall be in accordance with the provisions of an Act entitled, 'An Act to revise the laws relating to charities and making an appropriation to carry out the provisions thereof,' approved June 15, 1909, in force July 1, 1909, and in part in force January 1, 1910.

§ 5. The total cost of said hospital when constructed, equipped and ready for occupancy, including the cost of the site and lands, shall not exceed the sum of one million two hundred thousand dollars (\$1,200,000.00).

APPROVED June 7, 1911.

#### SURGICAL INSTITUTE FOR CHILDREN—ESTABLISHMENT.

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|---|--|
| § 1. Surgical institute authorized.                                   | § 10. Physicians surgeons and internes<br>—how appointed.    |
| § 2. Corporate name.  | § 11. Gift—donation—bequest—devise.                          |
| § 3. Purpose and object.  | § 12. Rules and regulations.                                 |
| § 4. Management and control vested<br>in the Board of Administration. | § 13. Plans and specifications.                              |
| § 5. Age — admission — treatment —<br>transportation.                 | § 14. Submission to Governor.                                |
| § 6. Location.  | § 15. Approval by Governor—notice to<br>receive sealed bids. |
| § 7. Site—selection—conveyance.                                       | § 16. Bond with bid—awards.                                  |
| § 8. General superintendent.  | § 17. Contract bond—how approved.                            |
| § 9. Officers — employés — compensa-<br>tion.                         | § 18. Contracts—how made.                                    |
|   | § 19. Vouchers.  |

(HOUSE BILL NO. 140. APPROVED JUNE 6, 1911.)

AN ACT to establish a surgical institution for children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is hereby authorized to be es-



established a surgical institution in and for the State of Illinois for the surgical treatment of children under the age of fourteen years, suffering from physical deformities or injuries of a nature which will likely yield to surgical skill and treatment, and which unless so treated will probably make such children, in whole or in part, in after life, public charges.

§ 2. Said institute shall be known as the Illinois Surgical Institute for Children; and by such name shall be and constitute a corporation, under the laws of the State of Illinois.

§ 3. The purpose and object of said institute shall be to receive, treat and nurse such children whose parents or guardians may be financially unable to provide surgical treatment, as may be physically deformed, or suffering from injuries requiring surgical treatment, to the end that their physical disabilities may be removed, and that they may be thereby made able to become self-sustaining, instead of being or becoming at some future time, public charges.

§ 4. The management and control of said institution shall be vested in the Board of Administration, and they shall faithfully see that the purposes of this Act are fully carried out with all possible speed and expedition.

§ 5. Any child under the age of fourteen, whose parents, or natural guardian, may be unable to furnish proper surgical treatment and who may be in need of the same, may be admitted to such institute, upon an order to that effect made by the county judge of the county in which said child may have had a legal residence for one year last past. The county treasurer of the county in which said child may have so resided shall, upon the order of said county judge, furnish said child with transportation from the place where said child may so reside to the place of said institution and return. The order admitting said child shall, when made, be filed with the superintendent of said institute, and said child shall be admitted thereto in the regular order of filing as soon thereafter as said institute can provide room, care and attendance therefor. Said child, if deemed feasible, shall be treated, nursed in said institute, until a recovery is effected, or it becomes apparent that further treatment will be of no avail, whereupon it shall be discharged and returned to its former place of residence.

§ 6. Said institution shall be located in that portion of Illinois which may be deemed most advantageous.

§ 7. Upon the taking effect of this Act, the Board of Administration shall, by advertising in not less than four (4) of the daily newspapers published within the territory wherein the said institution shall be located, solicit the donation of a site for said home, describing the requirements thereof, which shall be a tract of land containing not less than one hundred and sixty (160) acres, convenient to railroad transportation, and suitable for such purpose, taking into account healthfulness of the location, water supply, drainage, and agriculture, and convenience of access both to those who will likely be inmates of said institution, and physicians and surgeons who may be required to treat the

same; and if a location satisfactory to the said Board of Administration shall, within a time to be fixed by said Board of Administration, be offered to be donated for said purpose, they may, upon investigation finding the title to be good, free and clear, accept such offer, and cause proper conveyance thereof to be made for the purpose of such institution, in fee simple.

§ 8. The said Board of Administration shall appoint a skilled and capable surgeon, general superintendent, and may remove him for cause to be stated, first having given such officer a copy of the charges against him, and reasonable notice of the time and place when such charges will be heard, and an opportunity to defend himself.

§ 9. All other officers and employes shall be appointed and removed as is now provided by the laws of the State of Illinois, and the compensation of the superintendent, officers and employes shall be fixed from time to time by the Board of Administration.

§ 10. Assistant physicians and surgeons and internes shall be appointed to any vacancies in said surgical institute in either of said positions by competitive examination. Any graduate of any accredited school of medicine of Illinois or any regular trained physician or surgeon of the State of Illinois shall be eligible to take such examination. Said examination shall be specially held for this institute, and be conducted with especially [especial] reference to the surgical and medical treatment required by the children who may be patients in such institute. Appointments to such positions shall be made from those passing such examination in the order of grade standing, and in no other way whatsoever so long as there are eligible persons available as the result of such examinations. Any person passing such examination shall remain on the eligible list for two years.

§ 11. The Board of Administration, may from time to time, accept, hold and use for the benefit of said institution, or the inmates thereof, any gift, donation, bequest or devise of money, or real or personal property, and may agree to and perform any condition of such gift, donation, bequest or devise, not contrary to any law of the State.

§ 12. The Board of Administration shall establish all needful rules and regulations for the management of said institute and the inmates thereof.

§ 13. The Board of Administration shall cause to be prepared suitable plans and specifications for the building and improvements upon the site so selected, as may be necessary to carry into effect the purpose of this Act. The principal building shall be of sufficient size and capacity to permit the proper treatment and care of at least fifty patients at one time; said building to be plain and substantial in its type of architecture: of approved design for the purpose for which it is intended, and shall be constructed of fire resisting materials.

§ 14. The plans and specifications, when prepared to the satisfaction of the Board of Administration, shall be submitted to the Governor, with a detailed estimate of the cost of each and every building and improvement proposed to be made.

§ 15. When such plans are approved by the Governor, the Board of Administration shall cause not less than thirty days' notice to be given by publication in at least four daily newspapers, published in the State of Illinois, that sealed bids will be received for the construction of such building and improvements as the said board shall conclude to construct, at that time. Said notice shall specify when and the terms upon which bids will be received.

§ 16. No bid shall be accepted which is not accompanied by sufficient bond in the penal sum of \$10,000, payable to the People of the State of Illinois, with at least three good and sufficient sureties, conditioned that if his bid is accepted, he will enter into a contract with said school, by its corporate name, for the doing of the work, and will give bond required by this Act, conditioned for the faithful performance of his contract. At the time and place specified in the notice and in the presence of such of the bidders as may appear, the bids shall be opened and the contract awarded to the lowest and best bidder, unless it shall appear that no satisfactory bid shall have been made, and if no satisfactory bid shall have been made, another notice shall be given in like manner for other bids until an acceptable bid shall be made. The trustees may accept bids for the particular portions of the work if they can be advantageously separated.

§ 17. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond, to be approved by the Governor before accepted, conditioned for the faithful performance of his contract; shall also provide for the appointment of a superintendent of construction, who shall receive not more than five dollars per day for his services, and who shall carefully and accurately measure the work done, and for the payment of the contractor upon the aforesaid measurement, and for the withholding of fifteen per cent of the value of the work done and materials on hand until the completion of the building and for a forfeiture of a stipulated sum per diem for every day that the completion of the work shall be delayed after the time specified for the completion in the contract, and for the full protection of all persons who may furnish labor or materials by withholding payment from the contractor and by paying the parties to whom any moneys are due for service and materials, as aforesaid, directly for all work done or material furnished by them, in case of notice given to the Board of Administration that any such party apprehends or fears that he will not receive all moneys due; and for the settlement of all disputed questions as to the value of alterations and extras, by arbitration, at the time of final settlement, as follows: One arbitrator to be chosen by the trustees, one by the contractor and one by the Governor of the State, all three of said arbitrators to be practical mechanics and builders, and for the power and privilege of the trustees under the contract to alter changes in the plans at their discretion, and to refuse to accept any work which may be done not fully in accordance with the letter and spirit of the plans and specifications, and all work not accepted shall be replaced



at the expense of the contractor, and for a deduction from the current price of all alterations ordered by the Board of Administration which may and do diminish the cost of the building. They may also make such other provisions and conditions in said contract not hereinabove specified as may seem to them necessary or expedient: *Provided*, that no condition shall be inserted contrary to the letter and spirit of this Act, and that in no event shall the State be liable for a greater amount of money than is appropriated for said building and its appurtenances.

§ 18. All contracts shall be signed by the president of the Board of Administration on behalf of the board, after a vote authorizing the president so to sign shall have been entered upon the minutes of the board; and it shall be attested by the signature of the secretary of the board and by the corporate seal. All contracts shall be drawn in triplicate, and one copy shall be deposited in the office of the Board of Public Charities of this State.

§ 19. All measurements or estimates on account of work in progress shall show in detail the amount and character of the work estimated, and the estimates shall be paid from the State treasury only on the warrant of the Auditor of Public Accounts on vouchers made by the said Board of Administration and approved by the Governor.

APPROVED June 6, 1911.

## CITIES, TOWNS AND VILLAGES.

### ANNEXATION—SUBMISSION OF PROPOSITION.

§ 1. Amends sections 1 and 2, Act of 1889.

§ 1. Annexation of municipalities. Amendment prohibits another election within two years and adds provisions concerning irregularities and form of ballot.

§ 2. Annexation of adjoining territory. Amendment prohibits another election within two years, and changes time of notice of election.

(HOUSE BILL No. 155. APPROVED JUNE 5, 1911.)

*AN ACT to amend sections 1 and 2 of an Act entitled, "An Act to provide for the annexation of cities, incorporated towns and villages, or parts of the same, to cities, incorporated towns and villages," approved and in force April 25, 1889.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 2 of an Act to provide for the annexation of cities, incorporated towns and villages, or parts of the same, to cities, incorporated towns and villages, approved and in force April 25, 1889, be amended to read as follows:

§ 1. That where an incorporated city, town or village adjoins another incorporated city, town or village it may be annexed thereto in the manner following, that is to say:



A petition shall be presented to the judge of the county court of the county wherein such incorporated city, town or village to which such annexation is sought is situated, asking that the question of annexation be submitted to the legal voters of the city, village or incorporated town sought to be annexed, and the legal voters of the city, village or incorporated town to which it is sought to annex the same. Such petition shall be signed by not less than two hundred and fifty (250) of the legal voters of the city, village or incorporated town sought to be annexed, unless the votes cast in said city, village or incorporated town at the last preceding general election numbered less than five hundred (500), in which case the petition shall be signed by one-third ( $\frac{1}{3}$ ) of the legal voters of such city, village or incorporated town, and thereupon said county judge shall cause to be submitted the question of annexation to the voters of the incorporated city, town or village sought to be annexed, and to the voters of the incorporated city, town or village to which it is sought to annex the same, at an election to be holden in each of said incorporated cities, towns or villages. Such question shall be submitted at a regular annual municipal election in the municipalities to be affected, but no election on such question shall be held within two years after the same has been voted on at any election held before or after the passage of this Act: *Provided*, That when such question shall have been voted on within one year prior to the passage of this Act and shall have received a majority of the votes cast in each of said municipalities in favor of such annexation, as shown by the returns of the proper canvassing boards, and said election shall have been or shall hereafter be declared illegal or be set aside or said annexation have become ineffectual, said question may be submitted to the legal voters of said municipalities within two years after the passage of this Act, at either a special election called for that purpose, or at any municipal election, or at any general election: *And, provided, further*, that no election heretofore or hereafter held for such purpose shall be annulled or set aside for informalities or irregularities in the ballot or in the calling or conduct of such election where it appears or shall appear that a majority of the votes cast in each of said municipalities were or shall be for such annexation. Notice of the election hereby required shall be given by causing notices thereof to be published in at least one newspaper published in said county, within which said city, village or incorporated town may be, to which territory is sought to be annexed, at least sixty (60) days before such election, by the clerk of the county court. The ballots cast at such election to be written or printed, or partly written or partly printed, "for annexation," "of" (here name the city, village or incorporated town to be annexed) "to" (here name city, village or incorporated town to which annexation is sought) or, "against annexation" "of" (here name city, village or incorporated town to be annexed) "to" (here name city, village or incorporated town to which annexation is sought), respectively, or in such other form and manner as is now or may be hereafter provided by law for the submis-

sion of constitutional amendments or other public measures to be received, canvassed and returned the same as ballots for municipal officers of such incorporated cities, towns or village[s], and the officers who are charged by law with the duty of canvassing such votes, shall file, or cause to be filed, with the clerk of the county court of such county a certificate of the result of such canvass immediately upon ascertaining the result thereof, and if it shall appear that a majority of the voters of each incorporated city, town or village so voting upon the question of annexation, at such election vote for annexation, thereupon the jurisdiction of the incorporated city, village or town, to which such other incorporated city, village or town is annexed, shall extend over said territory; but if it shall appear that a majority of the voters of any incorporated city, town or village so voting upon the question of annexation, when such question is first submitted, vote against annexation, any petition thereafter presented to the judge of the county court shall be signed by not less than one-eighth of the legal voters of the incorporated city, town or village, which is sought to be annexed to an adjoining city, village or incorporated town so voting against annexation.

§ 2. When the inhabitants of any territory not less than one-half square mile in extent and less than the whole of an incorporated city, village or town, and which territory shall be contiguous to and adjoining the territory of another incorporated city, village or town, desire to be annexed to such other incorporated city, village or town, such annexation may be effected as follows: A petition shall be presented to the judge of the county court wherein such incorporated city, town or village is situated to which annexation is desired, signed by not less than one hundred of the legal voters of the territory sought to be annexed, asking that the question of annexation of the territory described in the petition may be submitted to the legal voters of the city, village or incorporated town from which said territory is to be taken, and to the legal voters of the city, village or incorporated town to which it is sought to annex the same and to the legal voters of the territory sought to be disconnected from one city, village or incorporated town and annexed to the other city, village or incorporated town. Such territory shall be described in said petition, and thereupon said county judge shall cause to be submitted the question of annexation of such territory to the voters of the incorporated city, town or village from which it is sought to disconnect territory, and to the voters of the incorporated city, town or village to which it is sought to annex the same, at an election to be holden in each of said incorporated cities, towns or villages. Such question shall be submitted at a regular annual municipal election in the municipalities to be affected, but no election for the annexation of such territory, or any part thereof shall be held within two years after a proposition to annex any part of such territory has been voted upon at any election held before or after the passage of this Act. Notice of the election hereby required shall be given by

causing notices thereof to be published in at least one newspaper published in said county, within which said city, village or incorporated town may be, to which territory is sought to be annexed, at least sixty days before such election, by the clerk of the county court. The ballots at such election to be written or printed, or partly written and partly printed, "For annexation of" (here describe territory of city, village or incorporated town to be annexed) "to" (here give the name of city, village or incorporated town to which annexation is sought) or "against annexation of" (here describe territory of city, village or incorporated town to be annexed) "to" (here name city, village or incorporated town to which annexation is sought) respectively, or in such other manner as is or may be hereafter provided in such cases by the general election laws of the State of Illinois applicable to said cities, villages or incorporated towns, said ballots to be received, canvassed and returned the same as ballots for municipal officers of such incorporated cities, towns or villages; and the officers who are charged by law with the duty of receiving such votes, shall ascertain the exact residence of each voter voting at such election, either from the books of registration or from the oath or affirmation of such voter, and in election precincts which are intersected by the boundaries of the territory sought to be annexed, the judges of election shall procure an additional ballot box in which shall be deposited only the ballots of voters residing within the limits of the territory so sought to be annexed, and shall make a separate return of the ballots cast in such additional ballot box, and the officers who are charged by law with the duty of canvassing the returns of such election shall file, or cause to be filed, with the clerk of the county court of such county, a certificate of such canvass immediately upon ascertaining the result thereof, in which certificate such officers shall state, as well as the results of the entire vote in each of the cities, incorporated towns or villages as canvassed by them, the number of votes cast by the voters residing within the limits of the territory so sought to be annexed, and the number of votes for and the number against the question so submitted as cast by such voters; and if it shall appear that the majority of the voters of each incorporated town, city or village, as well as a majority of the voters residing within the limits of the territory sought to be annexed so voting upon the question of annexation at such election, vote for annexation, thereupon the jurisdiction of the incorporated city, town or village shall extend over such territory so annexed; but if it shall appear that a majority of the voters of any territory less than the whole of an incorporated city, village or town, so voting upon the question of annexation, when said question is submitted, vote against annexation, any petition thereafter presented to the judge of the county court for the annexation of the same territory shall be signed by not less than one-eighth of the legal voters of the territory which is sought to be annexed under such subsequent petition.

APPROVED June 5, 1911.



## COMMISSION FORM—AMENDMENTS.

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| <p>§ 1. Amends sections 9, 10, 11, 12, 24, 26, 27, 28, 34 and 42, Act of 1910 or article 13, Act of 1872.</p> <p>§ 9. Election of officers.</p> <p>§ 10. Term of officers..</p> <p>§ 11. Vacancies filled by appointment.</p> <p>§ 12. Primary elections.</p> <p>§ 24. Heads of departments and city officers.</p> | <p>§ 26. Civil service and fire and police commissioners in certain cities.</p> <p>§§27-28. Appointments and discharges.</p> <p>§ 34. Grant of franchise, etc.—approval by electors.</p> <p>§ 42. Recall and removal—petition—signers—objections, etc.</p> <p>§ 2. Emergency.</p> |
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(SENATE BILL NO. 37. APPROVED MAY 12, 1911.)

AN ACT to amend sections 9, 10, 11, 12, 24, 26, 27, 28, 34 and 42 of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto article XIII," approved March 9, 1910, in force July 1, 1910.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 9, 10, 11, 12, 24, 26, 27, 28, 34 and 42 of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto article XIII," approved March 9, 1910, in force July 1, 1910, be and they are hereby amended so as to read as follows:

§ 9. (a) On the third Tuesday in April, A. D. 1911, next after the adoption of such proposition, and quadrennially thereafter, there shall be held a general municipal election, at which there shall be elected a mayor and four commissioners from the city or village, without regard to wards.

All divisions into wards of such municipalities as adopt this Act shall be discontinued and said officers shall be nominated and elected at large: *Provided*, that in cities which include wholly within their corporate limits a town or towns, such elections shall be held on the first Tuesday in April: *Provided, however*, that the term of office of all regularly elected municipal officers except judicial officers and officers of courts holding office at the time this Act is adopted by such municipality shall be and the same are hereby made to expire with the expiration of the term of office of the then mayor or president of the board of trustees of said municipality: *Provided, further, however*, that if on the same day, this Act is adopted by any municipality, there is elected a mayor or president of the board of trustees of such municipality, the term of office of all elective officers of such municipality elected on such day, or elected thereafter except judicial officers and officers of courts shall be and the same are hereby made to expire, with the expiration of the term of office of such mayor or president of the board of trustees elected on said day.

(b) If this Act is adopted by any such municipality, on or after the said third Tuesday in April, A. D. 1911, or in cities which include



wholly within their corporate limits a town or towns on or after the first Tuesday in April, A. D. 1911, then the first election for a mayor and four commissioners shall be held on the day of the first biennial general election provided for in section 2, article 4, of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereof, and the mayor and four commissioners elected thereat shall hold their respective offices until the next succeeding quadrennial general election for such officers, thereafter.

§ 10. The mayor and commissioners elected under section 9 of this Act shall be known as the council and shall hold their respective offices until the next succeeding quadrennial general election for such officers, respectively, or until their successors are elected and qualified, as provided in this Act.

§ 11. The mayor and commissioners shall hold their respective offices for the term of four years or until their successors are elected and qualified, except as otherwise provided in this Act. If any vacancy occurs in any such offices, the remaining members of said council shall, within thirty days after such vacancy occurs, appoint a person to fill such vacancy during the balance of the unexpired term.

§ 12. All candidates to be voted for at all general municipal elections at which a mayor and four commissioners are to be elected under the provisions of this Act shall be nominated by a primary election from the city or village at large, and no other names shall be placed upon the general ballot at the general municipal election except those selected in the manner hereinafter prescribed. The primary election for such nominations shall be held on the last Tuesday in February immediately preceding the general municipal election, in all cities or villages in which the general municipal election under this Act is held on the first Tuesday in April, and on the second Tuesday in March immediately preceding the general municipal election in all cities or villages in which the general municipal election under this Act is held on the third Tuesday in April.

§ 24. The mayor shall be commissioner of public affairs and as such be superintendent of that department; and the council shall, at the first regular meeting after election of its members designate by a majority vote, one commissioner to be commissioner of accounts and finances, who shall be superintendent of that department; one to be commissioner of public health and safety, who shall be superintendent of that department; one to be commissioner of streets and public improvements, who shall be superintendent of that department, and who *ex officio* shall be commissioner of public works; and one to be commissioner of public property, and as such to be superintendent of that department; but such designation may be changed by the council whenever it appears that the public service would be benefited thereby. The council by a majority vote may, in their discretion, at such first meeting or as soon as practicable thereafter, elect, by a majority vote, the following officers:

City clerk, corporation counsel, city attorney, assistant city attorney, city treasurer, library trustees, and the necessary officers to fill the offices provided for by the Local Improvement Act, known as "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897: *Provided*, that the commissioner of streets and public improvements under this Act shall be *ex officio* the commissioner of public works and a member of the board of local improvements as and when provided for by said Act concerning local improvements: *Provided, further*, that if by ordinance it is provided that [the] superintendent of streets shall be appointed by the commissioner of streets and public improvements, then the council shall have no power and authority to appoint the superintendent of streets: *And, provided, further*, that where by law it is provided that the superintendent of streets shall be a member of the board of local improvements, the fact that he is appointed by the commissioner of streets and public improvements shall not bar him from membership thereon.

§ 26. (a) In all cities or villages which have heretofore or may hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all officers, assistants and employes, of such city or village, except those named and mentioned in sections 23, 24 and 27 of this Act, shall be appointed and discharged only in accordance with and in pursuance of the provisions of said civil service Act: *Provided*, that for the purpose of the performance of the duties imposed upon, and the exercise of the powers and authority vested in a head of department or office, by virtue of said civil service Act, the commissioner of each respective department under the commission form of municipal government shall be considered the head of department or office under said civil service Act.

(b) In all cities or villages which have heretofore or may hereafter adopt an Act entitled, "An Act to provide for the appointment of a board of fire and police commissioners in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand and prescribing the powers and duties of such board," approved and in force April 2, 1903, all officers and members of the fire and police departments of any such city or village, including the chief of police and chief of fire department, shall be appointed and discharged only in accordance with and in pursuance of the provisions of said board of fire and police commissioners Act.

(c) Nothing in this Act contained shall be construed to prevent any city or village adopting the commission form of municipal government, from adopting "An Act to regulate the civil service of cities," approved and in force March 20, 1895, or when of the required population, from adopting "An Act to provide for the appointment of a board of fire and police commissioners in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand and prescribing the powers and duties of such board," approved and in force April 2, 1903.

(d) In all cities and villages which have heretofore adopted an Act entitled "An Act to provide for the appointment of a board of fire and police commissioners in all cities having a population of not less than 7,000 nor more than 100,000, and prescribing the powers and duties of such board," approved and in force April 2, 1903, and which have also heretofore adopted this Act, said Act to provide for a board of fire and police commissioners shall continue in full force and effect in said city or village in like manner as said Act would have continued in force therein if this Act had not been adopted therein.

§ 27. The council shall have the right, power and authority to appoint and discharge the heads of all principal departments subordinate to the departments provided for in section 23 of this Act: *Provided*, that by ordinance the commissioner of each respective department may be vested with the right, power and authority to appoint and discharge the heads of all principal departments subordinate to the respective department of which he is a commissioner: *Provided, however*, that in all cities and villages adopting an Act entitled "An Act to provide for the appointment of a board of fire and police commissioners, etc.," in force April 2, 1903, the chief of police and chief of fire department shall be appointed and discharged only as provided in said Act.

§ 28. In all cities or villages which have not heretofore or shall not hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all officers, assistants and employes of each respective department specified in section 23 of this Act, except those elected or appointed by the council, by virtue of sections 24 and 27 of this Act, shall be appointed by the commissioner of each respective department specified in section 23, and may be discharged by him when in his judgment the efficient conduct of the city's affairs shall demand it: *Provided, however*, that in all cities and villages which have not heretofore or shall not hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and have not heretofore or shall not hereafter adopt an Act entitled, "An Act to provide for the appointment of a board of fire and police commissioners, in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand and prescribing the powers and duties of such board," approved and in force April 2, 1903, all officers and members of the fire and police departments, except those elected or appointed by the council, by virtue of sections 24 and 27 of this Act, shall be appointed by the commissioner of the appropriate department, specified in section 23 of this Act, to which the powers and duties of and to be performed by the fire department and police department respectively shall be assigned, and may be discharged by him when in his judgment the efficient conduct of the city's affairs shall demand it.

§ 34. Every grant of any franchise, right or license to occupy or use the streets, alleys, highways, bridges, subways, viaducts, public property or public places for aerial way, interurban, suburban, subway, ele-



vated or street railways, gas, water works, electric light, power plants, heating plants, telegraphs, telephone systems or other public service utilities, within said city or village, must be authorized or approved by a majority of the electors voting thereon at a general or special election as provided herein: *Provided*, that any proposed ordinance granting any such franchise, right or license as aforesaid, passed by the council in pursuance of, or by virtue of any of the provisions of section 47, must be authorized or approved by a majority of the electors of such city or village voting thereon, at a general or special election, before the same shall go into effect.

§ 42. Every incumbent of an elective office, except a judicial office [officer] and officers of a court, whether elected by a popular vote or appointed to fill a vacancy, is subject to recall and removal at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of such office shall be as follows:

(a) A petition signed by electors entitled to vote for a successor to the incumbent sought to be recalled or removed, equal in number to at least fifty-five per centum of the entire vote for all candidates for the office of mayor at the last preceding general municipal election demanding an election of a successor of the person sought to be removed or recalled, shall be filed with the city or village clerk, which petition shall contain a general statement, in not more than two hundred words, of the ground for which the removal or recall is sought: *Provided*, that in cities and villages having a board of election commissioners, such petition shall be filed with the clerk of such board.

(b) The petition shall be substantially in the following form:

To the clerk of (the city or village) of .....or (the board of election commissioners of the city (or village) of.....).

We, the undersigned electors of the city (or village) of (name of city or village) entitled to vote for a successor to (name of person) an incumbent of the office of (name of office), in said city (or village) do hereby demand an election of a successor to said (name of person) for the following reasons, to-wit: (Here state reasons in not more than two hundred words.)

Name.	House Number (if any).	Street.	Date of Signing.
.....	.....	.....	.....
.....	.....	.....	.....

STATE OF ILLINOIS, }  
COUNTY OF.....} ss.

I, ....., do hereby certify and make oath (or affirm) that I am upwards of the age of twenty-one years, that I reside at number.....street, in the city (or village) of.....



of the county.....and State of Illinois, that the signatures on this sheet were signed in my presence, on the dates set opposite their respective names, and that the same are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing qualified electors, entitled to vote for a successor of (here insert the name of person holding office and also the title of the office) .....and that their respective residences are correctly stated as above set forth, and that such persons were at the time of signing said sheet duly registered.

Subscribed and sworn (or affirmed) to before me this.....  
day of.....A. D. 19....

(Official Character.)

(SEAL, if officer has one).

(c) Such petition shall consist of sheets having such form printed or written at the top thereof and shall be signed by electors qualified to vote for such successor, in their own proper person only, and opposite the signature of each petitioner shall be written by such person the street and number of his residence address (if there be such) and the date of signing the same. No signatures shall be valid or be counted in considering such petition unless these requirements are complied with and unless the date of signing is less than four months preceding the date of filing such petition.

At the bottom of each sheet shall be added a statement, signed by a resident of the city or village in which the signers thereof reside, with his residence address as aforesaid, stating that the signatures on the sheet were signed in his presence, on the dates set opposite the respective names, and that the same are genuine and to the best of his knowledge and belief the persons so signing were at the time of signing qualified electors, entitled to vote for a successor of the incumbent sought to be removed or recalled, and in cities or villages in which voters are or may be required to be registered, that they were at the time of signing said sheet duly registered, and that their respective residences are correctly stated as set forth on such sheet.

Such statement shall be sworn to before an officer residing in the county in which such city or village or the greater part thereof is located, who is qualified to administer oaths therein. Such petition, so verified, or a copy thereof duly certified by the proper persons, shall be *prima facie* evidence that the signatures, statement of residence, and dates upon such petition are genuine and true and that the persons signing the same are electors qualified to vote for a successor of such incumbent and in cities and villages in which the voters are or may be required to be registered, that they were at the time of the signing of such petition duly registered voters.

(d) Such sheets shall be fastened together at the upper edges in one document filed as a whole and when filed shall not be withdrawn

or added to or altered in any manner by any person. No signature shall be revoked except by a revocation filed in writing with the clerk with whom the petition is required to be filed and before the filing of such petition. Upon request of any person, the clerk shall furnish a certified copy of such petition and names thereto, upon the payment by such person to the clerk of a fee of one dollar for each 100 names thereto.

(e) Whoever in making the sworn statement above prescribed, shall knowingly, wilfully and corruptly swear falsely, shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly. Whoever forges the signatures of any person upon any petition or statement, or residence, street or number or the date of signing, shall be deemed guilty of forgery and on conviction thereof, punished accordingly.

(f) 1. All objections to such petition shall be filed with the clerk with whom such petition is filed, within five days after the filing of the same, and if the objections are filed against such petition as aforesaid, then at the expiration of such five days the petition, together with all objections thereto, shall by such clerk be immediately filed in the office of the clerk of the county or circuit court of the county in which such city or village or the greater part thereof is situated.

2. Authority and jurisdiction are hereby conferred upon and vested in the county court or in the judge thereof in vacation, or in the circuit court or the judge or judges thereof in vacation, to determine in a summary manner the sufficiency of such petition, and the decision, decree or judgment thereon of any such court or judge as aforesaid shall become immediately effective and no appeal or writ of error shall in any manner stay or prevent the immediate operation of such decision, decree or judgment.

The clerk of the court with whom such petition and objections thereto are filed shall immediately upon the filing of the same with him, forthwith present the same to the judge thereof, who shall note thereon the day presented, and shall also note thereon the day when he will hear the same, which shall not be less than five nor more than ten days thereafter, and shall order five days' notice thereof to be given by publication in some daily secular newspaper published in such city or village, or in case there is no such daily newspaper, then by posting written or printed notices in five of the most public places in said city or village, including a notice at the city or village hall, if any there be.

3. The court or judge shall ascertain and declare by a decree, as in chancery, to be entered of record in the proper court the sufficiency or insufficiency of such petition, and the clerk of the court shall immediately upon said decree being entered transmit to the clerk with whom the petition was originally filed such petition and a certified copy of the decree and order of the court or judge.

(g) If no objections to said petition are filed within five days as provided in sub-division (f) this section, or if objections are filed and

the court or judge aforesaid shall decree such petition sufficient, then immediately after the expiration of said five days, or immediately after the receipt by the clerk with whom the petition was originally filed, from the clerk of the court, of such petition and the certified copy of the decree declaring the same sufficient, as the case may be, the clerk with whom the petition was originally filed shall submit such petition to the council without delay, and the council shall order and fix the date for holding the said election, which shall not be less than forty days nor more than fifty days after the said petition is submitted to the council.

Any officer, member of the council, assistant or employé who shall violate or who shall wilfully or through culpable negligence fail to comply with any of the provisions of this section 42, shall be subject to a fine of not more than \$200.00 or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment, and may be removed from office.

(h) Such election, and the primary election immediately preceding the same, shall be considered a special election, so far as registration for voters and revision of registry is concerned, but notices of and arrangements for holding such election shall be the same, and such election shall be conducted, returned and the result thereof declared, in all respects as general municipal elections under this Act: *Provided*, the primary election for nomination of a candidate shall be held two weeks preceding such election, and only one candidate for each officer sought to be recalled shall be nominated: *Provided, further*, that section 18 of this Act shall also apply to special primary elections: *And, provided, further*, the statements and petitions of candidates may be filed not less than seven days preceding said primary election.

§ 2. WHEREAS, Many cities in the State of Illinois are preparing to vote on the adoption of the commission form of municipal government and many cities having adopted it are preparing to elect officers under it, therefore, an emergency exists, for the immediate taking effect of this Act, therefore it shall be in force from and after its passage.

APPROVED May 12, 1911.

#### COMMISSION FORM—SALARIES OF MAYOR AND COMMISSIONERS.

§ 1. Amends section 30, article 13,  
Act of 1872.

§ 30. As amended, includes  
city or village census.

§ 2. Emergency.

(SENATE BILL NO. 257. APPROVED APRIL 17, 1911.)

AN ACT to amend section thirty (30) of article XIII of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872, added thereto by the amendatory Act, approved March 9, 1910, and in force July 1, 1910.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirty (30) of Article

XIII of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872, added thereto by the amendatory Act approved March 9, 1910, and in force July 1, 1910, be and the same is hereby amended so as to read as follows:

§ 30. The mayor and each of the commissioners shall have an office at the municipal building or rooms, and shall devote such time to the duties of their respective offices as a faithful discharge thereof may require: *Provided*, that in cities of twenty thousand (20,000) population and over the mayor and commissioners shall devote at least six hours daily to the performance of their official duties; and their total and only compensation for the performance of their several and respective duties shall be annual salaries, which shall be fixed by the council and which shall not exceed as follows, to-wit:

Where the population is not over 2,000 the annual salary of the mayor may be \$50.00, and of each commissioner [\$]40.00.

Where the population is over 2,000 and not over 5,000, the annual salary of the mayor may be \$250.00, and of each commissioner \$100.00.

Where the population is over 5,000 and not over 10,000, the annual salary of the mayor may be \$600.00, and of each commissioner \$400.00.

Where the population is over 10,000 and not over 15,000, the annual salary of the mayor may be \$1,200.00, and of each commissioner \$900.00.

Where the population is over 15,000 and not over 20,000, the annual salary of the mayor may be \$2,000.00, and of each commissioner \$1,700.00.

Where the population is over 20,000 and not over 30,000, the annual salary of the mayor may be \$2,500.00, and of each commissioner \$2,000.00.

Where the population is over 30,000 and not over 40,000, the annual salary of the mayor may be \$3,500.00, and of each commissioner \$3,000.00.

Where the population is over 40,000 and not over 60,000, the annual salary of the mayor may be \$4,000.00, and of each commissioner \$3,500.00.

Where the population is over 60,000 and not over 80,000, the annual salary of the mayor may be \$4,500.00, and of each commissioner \$4,000.00.

Where the population is over 80,000 and not over 100,000, the annual salary of the mayor may be \$5,000.00, and of each commissioner \$4,500.00.

Where the population is over 100,000 and not over 200,000, the annual salary of the mayor may be \$6,000.00, and of each commissioner \$5,500.00.

All such annual salaries shall be payable in equal monthly installments, and where the number of inhabitants is referred to in this sec-



tion, it shall mean the number of inhabitants according to the Federal, State, city or village census last preceding the election of mayor and commissioners.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED April 17, 1911.

#### GAS SAFETY APPLIANCES.

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| <p>§ 1. Buildings equipped with automatic gas cocks, etc.—enforcement.</p> <p>§ 2. Approval of appliances—exemptions from Act.</p> | <p>§ 3. Violations—penalty.</p> <p>§ 4. Tampering with device—penalty.</p> <p>§ 5. Act in force Jan. 1, 1912.</p> |
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(HOUSE BILL No. 444. APPROVED MAY 31, 1911.)

*AN ACT to provide greater safety to life and property from loss by fire and explosions.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be the duty of the Fire Marshal or such other officer or officers as are or may be charged with the duty of fire protection in each town, village or city in the State of Illinois, to require the owner, agent or person in charge of each public building, factory, store, hotel, theatre, tenement or other building, except private residences in each of said towns, villages or cities, in which gas is used for illuminating or heating or other purposes, to equip said building or buildings with an automatic gas cock, valve or appliance by means of which, in case of fire, accident or other necessity, the supply of gas may be shut off from said building or buildings, without requiring firemen or other persons to enter within said building or buildings for said purpose.

§ 2. That all such safety cocks, valves, or appliances, as herein provided for, shall be of such design and quality of workmanship as to be reasonably certain to perform the work required to be done thereby and shall be approved by, and installed under the supervision and control of the duly authorized officer or officers charged with the duty of fire protection in said town, village or city in which said gas cocks, valves or devices are required to be installed; and when thus installed in any building, shall continue to be and remain under their supervision and control: *Provided, however,* that in all cases where the total volume of gas led into any building or buildings, is not more than the average volume delivered through a three-fourths inch pipe, then all such buildings shall be exempt from the requirements herein named, unless the conditions under which the gas is used are such as to endanger life or property to the same extent as the larger average volume carried by pipes of the next larger size, then in all such cases, at the discretion of said duly authorized officer or officers, all such buildings may be required to be equipped as provided for herein.

§ 3. That from and after the time of taking effect of this Act any owner, agent or person in control of any building or buildings within the requirements hereof, who shall fail, neglect or refuse to equip said building or buildings or to comply with the requirements set forth herein, shall be served with legal notice by the officer or officers duly charged with the fire protection of same to comply therewith within thirty days, and if at the expiration of the time specified in said notice, said building or buildings are not equipped as provided for herein, then said owner, agent or person in control shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) nor more than fifty dollars (\$50.00) for each offense. And upon such conviction such owner, agent or person in control of any building or buildings, it shall be unlawful for any person, firm or corporation or company to supply gas to such building or buildings for a longer period of time than thirty (30) days next succeeding said conviction, until such building or buildings have been equipped as provided herein.

§ 4. That when any such device is installed and approved, it shall be unlawful for any unauthorized person to wilfully disturb, destroy, meddle or tamper with any such device in any way, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00) for each offense.

§ 5. This Act to be in full force and effect on and after January 1, 1912.

APPROVED May 31, 1911.

#### HOSPITAL TAX IN CERTAIN CITIES—ACT OF 1903 AMENDED.

§ 1. Amends section 1, Act of 1891.

[§1.] As amended, annual tax in cities over 1,500 not included in aggregate amount of taxes, etc.

(HOUSE BILL No. 518. APPROVED JUNE 7, 1911.)

AN ACT to amend section 1 of an Act entitled, "An Act to enable cities to establish and maintain public hospitals." Approved June 17, 1891, in force July 1, 1891. (As amended by Act approved May 25, 1907, in force July 1, 1907.)

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 1 of an Act entitled, "An Act to enable cities to establish and maintain public hospitals," approved June 17, 1891, in force July 1, 1891, as amended by Act approved May 25, 1907, in force July 1, 1907, be and the same is hereby amended to read as follows:

[§ 1.] That the city council of each incorporated city of this State having a population of less than one hundred thousand (100,000) inhabitants shall have the power to establish and maintain a non-sectarian public hospital for the use and benefit of the inhabitants of such city, and any person falling sick, or being injured or maimed within its limits, and may levy a tax not to exceed three mills on the dollar

annually, on all taxable property of the city, such tax to be levied and collected in like manner with the general taxes of the said city, and to be known as the "hospital fund:" *Provided*, that said annual hospital tax in cities of over fifteen hundred inhabitants shall not be included in the aggregate amount of taxes as limited by section [one] (1) of article eight (8) of "An Act for the incorporation of cities and villages," approved April 10, 1872, and the amendatory Acts thereto or by any provision of any special charter under which any city in this State is now organized.

APPROVED June 7, 1911.

#### MINORITY REPRESENTATION.

§ 1. Amends section 6; article 4, Act of 1872.

§ 6. As amended, provides for discontinuance of minority representation.

(SENATE BILL No. 105. APPROVED JUNE 5, 1911.)

AN ACT to amend section 6 of article 4 of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended by an Act approved and in force April 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, as follows:* That section 6 of article 4 of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended by Act approved and in force April 1, 1885, be amended to read as follows:

§ 6. Whenever this Act shall be submitted to the qualified electors of any city for adoption, there shall be submitted at the same time for adoption or rejection the question of minority representation in the city council or legislative authority of such city. At the said election the ballot shall be in the following form: "For minority representation in the city council," or "against minority representation in the city council," and at any subsequent time on petition of the legal voters equal in number to one-eighth the number of legal votes cast at the next preceding general city election, the city council shall cause the question of minority representation to be submitted to the legal voters of said city, and the ballots shall be in form as provided in this section: *Provided*, that no such question of representation shall be submitted more than once in every two years. The judges of such election shall make returns thereof to the city council, whose duty it shall be to canvass such returns and to cause the result of such canvass to be enforced on the records of such city. If a majority of the votes cast at such election shall be for equal representation in the city council then the members of the city council, or legislative authority of such city, shall be thereafter elected in the following manner: The council or legislative authority of such city, at least one month before the general election in the year in which this Act shall take effect in such city, shall apportion

such city by dividing the population thereof, as ascertained by the last Federal census, by any number not less than two, nor more than six, and the quotient shall be the ratio of representation in the city council. Districts shall be formed of contiguous and compact territory, and contain as near as practicable, an equal number of inhabitants: *And, provided, further*, that where said council or legislative authority of such city have not fixed a ratio of representation and formed the districts or wards, at the time above specified, the same may be done by any subsequent board of aldermen; but all official acts heretofore done and ordinances heretofore passed by any board of aldermen elected at large by the legal electors of any such city on the minority representation plan, shall be held and taken by all courts in this State to be of as much validity and binding force as if they had been elected from wards or districts.

After any city shall have adopted minority representation as provided in this Act then at any subsequent time on petition of the legal votes in number to one-eighth the number of legal votes cast at the next preceding general city election, the city council shall cause the question of minority representation to be submitted to the legal voters of said city, and the ballots shall be in form as provided in this section: *Provided*, that no such question of representation shall be submitted more than once in every two years. If a majority of the votes cast at such election shall be "against minority representation in the city council" the aldermen of such city shall be elected as otherwise provided for in this Act.

APPROVED June 5, 1911.

#### MUNICIPAL FUNDS—DEPOSITS AND DISPOSITION.

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| § 1. Depository designated by ordinance<br>—bond—duty of treasurer—violation. | § 2. Emergency. |
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(HOUSE BILL NO. 82. APPROVED JUNE 7, 1911.)

AN ACT to empower cities, villages and incorporated towns to provide for the deposit and disposition of corporate funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the treasurer of any city, village or incorporated town in this State not now having, by its charter, the power to provide for the deposit and disposition of city funds as is herein authorized and provided for, may be required to keep all moneys in his hands, belonging to the corporation, in such place or places of deposit as may be designated by ordinance: *Provided, however*, no such ordinance shall be passed by which the custody of such money shall be taken from the treasurer and deposited elsewhere than in some regularly organized bank, nor without a bond, to be taken from such bank, in such penal sum and with such security as the city council or board of trustees shall direct and approve, sufficient to save the corporation from any loss, but such penal sum shall not be less than the estimated



receipts for the current year from taxes and special assessments levied, or to be levied, by the corporation. The treasurer shall keep all moneys belonging to the corporation in his hands separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever, and any violation of this provision shall subject him to immediate removal from office by the city council or board of trustees, who are hereby authorized to declare said office vacant.

§ 2. WHEREAS, There are certain cities, villages and incorporated towns in the State where the councils are desirous of regulating the deposit and disposition of city funds before the next spring elections, therefore, an emergency exists, and this Act shall be and become in force from and after its passage.

APPROVED June 7, 1911.

#### MUNICIPAL FUNDS—USE.

§ 1. Authorizes purchase of tax anticipation warrants—interest credited.

§ 2. Interest on special assessment used to retire vouchers and bonds.

(SENATE BILL NO. 15. APPROVED JUNE 5, 1911.)

#### AN ACT concerning municipal funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every city, incorporated town or village, now or hereafter holding in its treasury any fund set aside for use for some particular purpose, that is not immediately necessary for such purpose, may by ordinance of the city council of such city or board of trustees of such town or village use the money in such fund in the purchase of tax anticipation warrants issued by said city, town or village against taxes levied by said city, town or village; such warrants to bear interest not to exceed four per cent per annum, and all interest upon such warrants, and all moneys paid in redemption of said warrants shall at once be credited to and placed in such fund so held by such city, town or village.

§ 2. Interest accruing upon deposits of money derived from special assessments may by ordinance of the city council of such city or board of trustees of such town or village be used in retiring outstanding special assessment vouchers and bonds that may be delinquent by reason of any deficiency in the fund out of which such vouchers or bonds are to be paid.

APPROVED June 5, 1911.

## MUNICIPALITIES UNDER SPECIAL CHARTERS—BORROWING MONEY.

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| § 1. Authorizes borrowing money and<br>issuing bonds—referendum—<br>limitation of indebtedness. | § 2. Validating provisions.<br>§ 3. Emergency. |
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(SENATE BILL NO. 146. APPROVED APRIL 13, 1911.)

AN ACT *relative to borrowing money and issuing bonds by cities, towns and villages incorporated by and operating under special charters, and declaring an emergency.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every city, town and village in this State incorporated by and operating under a special charter is hereby empowered and authorized to borrow money upon credit of such municipal corporation for lawful corporate purposes and issue its negotiable coupon bonds therefor in such form, of such denomination, payable at such place and at such time or times, not exceeding twenty (20) years from their date, as the council or board of trustees of such municipal corporation may by ordinance prescribe; subject, however, to the terms and requirements of an Act passed by the Illinois General Assembly, entitled, "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, A. D. 1909: *Provided, however,* that no such city, town or village shall be allowed to incur any indebtedness hereunder which, together with all other outstanding indebtedness, exceeds in the aggregate the constitutional limitation; and every such city, town or village shall, prior to or at the time of issuing its bonds hereunder provide for the collection of a direct annual tax upon all of the taxable property of such municipal corporation, in addition to all other taxes, sufficient to pay the interest on such bonds as the same falls due and also to pay the principal thereof within twenty (20) years from their date.

§ 2. That all bonds heretofore issued by any such municipal corporation under and within its charter power to borrow money and which are now outstanding, be and the same are hereby ratified, approved and confirmed; and all bonds proposed to be issued by any such municipal corporation pursuant to an ordinance passed under and within its charter to borrow money, which ordinance has been submitted to and approved as and in the manner provided by the Act mentioned in section 1 of this Act, be and the same are hereby fully authorized, and when issued shall constitute the valid and binding obligations of such municipal corporation.

§ 3. THAT, WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED April 13, 1911.

## ORGANIZATION—PROCEEDINGS LEGALIZED.

- § 1. Legalizes certain elections—in- | § 2. Emergency.  
formalities cured—proviso.

(HOUSE BILL No. 221. APPROVED MAY 27, 1911.)

AN ACT to legalize certain elections held under "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever the inhabitants of any contiguous territory of this State, possessing all the legal qualifications therefor, have in good faith attempted to organize such territory as a village under and in pursuance of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, but have failed to file certified copies of the result of the election for such organization, the canvass of the votes, and the result of the election for first officers, for record in manner as prescribed by law, such village shall and the same is hereby declared to have been legally and validly organized, under and in pursuance of said Act: *Provided*, a certified copy of the returns of such elections are filed and recorded as required by section 13 of said Act, as amended, to which this Act refers, within six months after this Act becomes effective, and all elections of officers and organizations of any village in this State under and by virtue of any such elections, if otherwise according to law, are hereby legalized and made effective, and all the acts of any such village, if otherwise legal, are also hereby made legal and binding; and upon the filing and recording as aforesaid, the Secretary of State shall charter said village by his certificate duly authenticated under his hand and the great seal of the State.

§ 2. WHEREAS, The records of several of the villages in this State are deficient in the particulars set forth in section 1 of this Act, and such villages are without charter and warrant of law to do business, therefore, an emergency exists, and this Act shall be in force from and after its passage.

APPROVED May 27, 1911.

## PENSION FUND—HOUSE OF CORRECTION EMPLOYEES.

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| <p>§ 1. Funds created.</p> <p>§ 2. Employés defined—acceptance—withdrawal.</p> <p>§ 3. City treasurer custodian of funds—duties—bond.</p> <p>§ 4. Election of trustees—duties.</p> <p>§ 5. Organization of board—term.</p> <p>§ 6. Vacancies—power and duties of board.</p> <p>[§ 7. Omitted.]</p> <p>§ 8. Annuity—how paid.</p> | <p>§ 9. Annuitant—age—service—notice.</p> <p>§ 10. Retirement on account of disability—notice.</p> <p>§ 11. Refund on dismissal or resignation.</p> <p>§ 12. Eligibility and credit.</p> <p>§ 13. Monthly report—pay by warrants.</p> <p>§ 14. Annuities exempt from attachment, etc.</p> <p>§ 15. Offenses and penalties.</p> |
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(SENATE BILL NO. 192. APPROVED JUNE 10, 1911.)

AN ACT to provide for the setting apart, formation and disbursement of a house of correction employés' pension fund in cities having a population exceeding 150,000 inhabitants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the board of inspectors of the various houses of correction, organized under an Act of the General Assembly of the State of Illinois, entitled "An Act to establish houses of correction and authorized [authorize] the confinement of convicted persons therein," approved April 25, 1871, and in force July 1, 1871, and maintained thereunder in cities having a population exceeding 150,000 inhabitants, shall have power, and it shall be its duty to create a house of correction employés' pension fund, which shall consist of 2 per cent of the salaries or wages of the employés, deducted in equal monthly installments from such salaries or wages at the regular time or times of the payment thereof, and 2 per cent of the earnings of the house of correction.

§ 2. The term "employé," under this Act, shall include all persons in the employ of any such house of correction receiving a stipulated salary or wage per annum, and this Act shall apply only to those employés who voluntarily accept and agree to comply with its provisions. Any employé, a part of whose salary may be set apart hereafter to provide for the fund created by this Act, may be released from the necessity of making further payments to said fund by filing a written notice of his or her desire to withdraw from complying with the provisions of this Act with the board of trustees hereinafter mentioned, which resignation shall operate and go into effect immediately upon its receipt by said board of trustees.

§ 3. The city treasurer, subject to the control and direction of the board of trustees hereinafter mentioned, shall be the custodian of said pension fund and shall secure and safely keep the same and shall keep books and accounts concerning said fund in such manner as may be prescribed by said board of trustees, which said books and accounts shall always be subject to the inspection of said board of trustees, or any



member thereof. The city treasurer shall, within ten days after his election or appointment, execute a bond to the city, with good and sufficient sureties, in such penal sum as the said board of trustees shall direct, which said bond shall be approved by said board of trustees, and shall be conditioned for the faithful performance of the duties of said office, and that he will safely keep and well and truly account for all moneys belonging to said pension fund, and all interest thereon, which may come into his hands as such treasurer, and on the expiration of his term of office, or upon his retirement therefrom for any cause, he will surrender and deliver over to his successor all unexpended moneys, with such interest as he may have received thereon, and all property which may have come into his hands as treasurer of said pension fund. Such bond shall be filed in the office of the city clerk of said city for the use of said board of trustees, or any person or persons injured by such breach.

§ 4. The board of inspectors of any such house of correction shall, in the month of September immediately following the date of this Act going into effect, arrange for the election of a board of trustees of said pension fund, composed of five members to be chosen as hereinafter provided, which election shall be held not later than two months after this Act goes into effect. Said board of trustees shall have power, and it shall be its duty to administer said fund and to carry out the provisions of this Act for the purpose of enabling such board of trustees to perform the duties imposed and exercise the powers created by this Act, the board of trustees shall be and is hereby created a body politic and corporate, and said board of trustees may invest the accumulation of said funds in government, State, county or municipal bonds, and the city treasurer shall be the custodian of said securities.

§ 5. The said board of trustees shall consist of the chairman of the board of inspectors and the superintendent of the house of correction, two employes contributing to the fund and one other member of said board of inspectors, the chairman of said board of inspectors and the superintendent of the house of correction shall be *ex officio* members of such board of trustees, and the three other members of such board of trustees shall be elected by ballot by the employes contributing to said fund at the time and for the terms respectively as follows: At the first election the contributors to said fund shall elect one of their number to serve for the term of one year, and one of their number to serve for the term of two years, and annually thereafter said contributors shall elect one of their number to hold office for the term of two years. At each election the contributors shall elect a member of the board of inspectors of the house of correction to serve as a member for of such board of trustees for a term of one year.

§ 6. Whenever any elective member of said board of trustees shall cease to be in the employ of or to be a member of said board of inspec-

tors of said house of correction, his or her membership in said board of trustees shall cease. All vacancies in said board of trustees shall be filled by ballot of the contributors to said pension fund.

Said board of trustees shall have power and it shall be its duty:

1. To make all payments from said pension fund pursuant to the provisions of this Act.

2. To administer and invest, to purchase, hold, sell or assign and transfer any part of said pension fund remaining in the hands of said treasurer, or any of the securities in which said fund, or any part thereof, may be invested, subject to the approval of the majority of the contributors to the said pension fund.

3. To pay all necessary expenses in connection with the administration of said fund and in carrying out the provisions of this Act for which provisions are not otherwise made.

4. The annuity to be paid shall be the sum of four hundred and eighty dollars (\$480.00) per annum, for each and every beneficiary of said pension fund, the said annuity to be paid in equal monthly installments. In case of insufficient funds in the treasury, the treasurer be empowered to pay to the beneficiaries a *pro rata* amount of the sum in the treasury, said *pro rata* amount to be divided equally among the beneficiaries entitled to the same.

5. To take, by gift, grant or bequest, or otherwise, any money or property of any kind and hold the same for the benefit of said fund.

6. To exempt any of said employés from the operation of this Act, whenever in its judgment the interests of said fund shall render such exemption necessary and advisable, subject to the approval of the said contributors of the pension fund.

7. To make and establish all such rules for the transaction of its business and such other rules, regulations and by-laws as may be necessary for the proper administration of said fund committed to its charge, and the performance of the duties imposed upon it.

8. It shall keep full and complete records of its meetings and of the receipts and disbursements on account of such fund, and also complete lists of all contributors to said fund, and of all annuitants receiving benefits therefrom, and such other records as in its judgment shall seem necessary and shall make and publish annually, a full and complete statement of its financial transactions.

9. Said board shall hear and determine all applications for benefits under this Act, and shall have power to suspend any annuity whenever in its judgment the disability of such beneficiary has ceased, or for other good cause, subject to the approval of the majority of the contributors to said pension fund.

10. To compromise, settle or liquidate any claim against said fund, by surrendering the contribution or contributions of any individual or individuals and make the necessary rules, prescribing the terms under

which such settlements may be made, providing there shall be no rule allowing restitution of deductions from salaries after the contributor shall have become eligible to an annuity under this Act.

11. To determine the amount to be paid as benefits or annuities under this Act and to increase or reduce the same in its discretion: *Provided*, that no benefit or annuity shall exceed four hundred and eighty dollars per year.

12. To purchase, hold, sell or assign and transfer any of the securities in which said fund or any part thereof may be invested, subject to the approval of the board of trustees.

13. Any contributor to said fund who shall have attained the age of fifty (50) years, and shall have been in the service of said house of correction for a period of twenty (20) years, and shall have contributed to said fund for the same period, shall have the right to retire and become a beneficiary under this Act, five years after this Act has been in force, and to receive the said benefit or annuity, which said benefit or annuity shall be proportionate to the amount of the contributions of said employé.

§ 8. Upon the death of any contributor, the said board of trustees shall pay the said annuity to the widow, as long as she remains the same of such deceased contributor, and if there is no widow, said board of trustees shall pay said annuity to the child or children of such deceased contributor, until such time as the youngest child shall reach the age of sixteen (16) years, and if there be no widow and no children, the annuity shall be paid to the mother of such deceased contributor as long as she may live.

§ 9. Any person who has been an employé of said house of correction for a period of twenty (20) years or more, and is a contributor to said fund, may retire from the service of said house of correction upon sixty (60) days' notice, to be given to said board of trustees (unless such notice is waived by said board of trustees) and become an annuitant under this Act: *Provided*, such person shall have contributed to said fund for a period of not less than twenty years or shall pay into the fund the equivalent of twenty (20) years' contribution thereto, and have attained the age of fifty (50) years, which fund shall not be drawn on for five years.

§ 10. Any person who has contributed to said fund for a period of three (3) years or more may retire from the service of said house of correction on account of serious disability rendering him or her unable to properly discharge his or her duties, upon ninety (90) days' notice to be given to the board of trustees (unless such notice is waived by said board of trustees) and may become an annuitant under this Act, and thereupon be entitled to receive said annuity until such time as he or she shall be able to properly discharge his or her duties or until death, when said board of trustees shall pay said annuity to the widow, child, or mother of the deceased contributor, as hereinbefore provided.

§ 11. Any employé who has contributed to said fund for three (3) years or more and who shall be dismissed or resign from the service of

said house of correction, may, upon application made within three (3) months, after such dismissal or resignation, receive one-half ( $\frac{1}{2}$ ) of the total amount paid into said fund by such person so dismissed or resigned.

§ 12. Any person in the employ of the house of correction at the time this Act is passed shall be eligible to become a contributor to said pension fund and shall be given credit for the time of his or her past service, upon the payment of 2 per cent of the salary he or she has received while in such employment.

§ 13. The chairman of the board of inspectors and the superintendent of the house of correction shall certify monthly to the treasurer all amounts deducted in accordance with the provisions of this Act from the salaries paid by the house of correction, which amounts, as well as all other sums contributed to said fund under the provisions of this Act, shall be set apart and held by said treasurer for the purpose hereinafter specified, subject to the order of said board of trustees and shall be paid out upon warrants signed by the president and secretary of said board of trustees.

§ 14. All annuities granted under the provisions of this Act shall be exempt from attachment and garnishment process and no annuitant shall have the right to transfer or assign his or her annuity either by way of mortgage or otherwise.

§ 15. Any person who shall directly or indirectly avoid or seek to avoid any or all the provisions of this Act, or who shall directly or indirectly interfere with, or obstruct the enforcement of any of the provisions of this Act, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not less than fifty dollars (\$50.00), and not exceeding one thousand dollars (\$1,000.00), or by imprisonment in the county jail for a term not exceeding six (6) months, or both such fine and imprisonment in the discretion of the court.

APPROVED June 10, 1911.



## PENSION FUND—MUNICIPAL EMPLOYEES IN CITIES OVER 100,000.

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| § 1. Pension fund for employes under civil service in cities over 100,000—who entitled—how constituted.<br>§ 2. Board of trustees—selection—term—vacancies.<br>§ 3. Meetings of board—officers—record of proceedings—certified list.<br>§ 4. Powers of board.<br>§ 5. Custodian of funds. | § 6. No benefits for five years.<br>§ 7. Retirement within five years—deductions.<br>§ 8. Retirement after five years—deductions.<br>§ 9. Retirement through disability—proof.<br>§ 10. Pensions exempt from attachment, etc.<br>§ 11. Repeal. |
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(SENATE BILL NO. 159. APPROVED MAY 31, 1911.)

AN ACT to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employes appointed to their positions under and by virtue of an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants, there shall be created, established and maintained a pension fund for municipal employes who are employed in such cities, villages and towns, under and by virtue of an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town: *Provided, however,* that the provisions of this Act shall not apply to temporary or probationary employes nor to those defined as sixty-day employes by said Act, nor to any employes [employé] who is sixty or more years of age at the time this Act is in force and effect and who at said time has not been in the service of such city, village or town for at least ten years, nor to any employé of such city, village or town now or hereafter participating in any other municipal pension fund. Nor to laborers unless any such laborer shall within six months after this Act shall be in force and effect, or in the event that any such laborer is now in the employ of such city, village or town, within six months after such laborer shall enter the service of such city, village or town, give written notice of his election to the board of trustees of said fund of his desire to participate in the benefits hereunder.

Said fund shall consist of amounts of two dollars a month retained or deducted by the comptroller of such city, village or town from the salaries or wages of each employé and such other sums as are hereinafter referred to: *Provided, however,* that if the name of any such employé shall not appear upon the pay roll of the department in which he or she is employed by reason of leave of absence, sickness, lack of work, or any other good and sufficient cause, making a deduction im-

possible, such employé may retain his or her rights under this Act by paying two dollars each month to the treasurer of such city, village or town for the benefit of said fund, during his or her temporary absence from the service.

§ 2. A board composed of the comptroller and treasurer of said city, village or town, and three employés elected as hereinafter provided, who shall be residents of such city, village or town, shall be and constitute a board of trustees, authorized to carry out the provisions of this Act. Said board shall be known as the board of trustees of the municipal pension fund of such city, village or town. The three members of said board who are employés shall not hold, during their term of membership on said board, any appointive or elective political offices or positions. One of such persons shall be elected to serve for a term of one year, one for a term of two years, and one for a term of three years, and annually thereafter said employés shall elect one of their number to hold office for a term of three years. When any elective member of said board shall cease to be in the employ of said city, village or town, his or her membership in such board shall cease. In the event of death, resignation or inability to act of any member of said board elected under the provisions of this section, the successor of such member shall be elected at a special election, which shall be called by said board, and shall be conducted in the same manner as are annual election[s] hereunder.

The comptroller and treasurer of such city, village or town shall on or before the first day of October after this Act shall be in force and effect provide for the election of the three elective members of said board. All subsequent elections shall be held under rules and regulations prescribed by said board: *Provided, however,* that the second election shall occur one year from the day selected by said comptroller and treasurer for the holding of the first election.

§ 3. The board herein provided for shall hold quarterly meetings on the first Tuesday of July, October, January and April of each year, and special meetings upon the call of the president of said board. On the first Tuesday in October in each year, it shall select one of its members who shall act as president of such board for a period of one year, or until such time as his successor is elected and qualified. Said board shall, on the same day, also select one of its members who shall act as secretary of said board, for a period of one year, or until such time as his successor is elected and qualified. Said board shall issue certificates signed by its president and secretary to the employé entitled thereto, of the amount of money ordered paid to such employé from said fund by said board, which certificate shall state for what purpose said payment is made. Said board shall keep a record of the proceedings of all of its meetings, which record shall be a public record, and shall submit semi-annually to the board of trustees of such village or town, or the city council of such city, a list of persons entitled to payments from the fund herein provided, stating the amount of such pay-

ments and for what granted as ordered by such board, which list shall be signed and certified by the treasurer of such city, village or town, and president of such board and attested by such treasurer under oath: *Provided*, that no resolution shall be passed or order made for the payment of money unless by affirmative vote of a majority of the members of said board.

§ 4. Said board shall have the power, and it shall be its duty,

*First*—To authorize ail payments from said pension fund pursuant to the provisions of this Act, which shall include all pensions to beneficiaries of said fund, at a rate of fifty dollars per month, and all necessary expenses incurred in the administration of said fund: *Provided*, that no compensation or emolument shall be paid to any member of said board for any duty required or performed under this Act: *And, provided, further*, that the chief legal adviser of said city, village or town shall be the legal adviser of said board.

*Second*—To hear and determine all applications for pensions under this Act and to suspend the payment of pensions when disability ceases.

*Third*—To audit the accounts pertaining to said fund at least four times annually.

*Fourth*—To accept, by gift, grant, bequest or otherwise, any money or property of any kind and use the same for the benefit of said fund.

*Fifth*—To invest such fund, or any part thereof, in the name of said board, in interest bearing bonds of the United States, of the State of Illinois, or of any county of this State, or of any township or any municipal corporation of the State of Illinois, or of any other state, and all such securities shall be deposited with the treasurer of said board and shall be subject to the order of said board; said treasurer shall furnish a good and sufficient bond to said board in an amount to be fixed by said board, conditioned upon the faithful performance of the duties of said office, and that he will truly account for all moneys, including the interest thereon, and property of said fund which may come into his hands, and that upon the expiration of his term of office or upon his retirement therefrom he will deliver over to his successor all the moneys, including the interest thereon, and property which may be in his custody; all costs and incidentals to the same, to be paid out of said pension fund.

*Sixth*—To authorize the payment to any employé who may be separated from the service of such city, village or town by the abolishment of his or her position before such employé shall have qualified for a pension, an amount equal to the amount deducted from the salary or wages of such employé: *Provided*, that such employé shall release said board from all future liability upon receipt of said sum.

*Seventh*—To compel witnesses to attend and testify before it upon all matters connected with the operation of this Act, in the same manner as is or may be provided by law for the taking of testimony before masters in chancery, and its president or any member of said board may administer oaths to such witnesses.



*Eighth*—To appoint a clerk and define his duties.

*Ninth*—To make all necessary rules and regulations for its guidance in conformity with the provisions of this Act.

§ 5. The treasurer of such city, village or town, subject to the control and direction of said board, shall be the custodian of said fund, and it shall be his duty to set apart the amounts certified to him by the comptroller of such city, village or town as hereinbefore provided, from the salaries or wages of employés and to credit such amounts to said fund, to receive and hold all moneys paid into said fund from whatever source, and to pay out moneys from said fund as hereinbefore provided, to receive and credit to said fund all interest from its investments and to keep the books and accounts of said fund in the manner prescribed by said board, which books and accounts shall at all times be subject to the inspection of said board, or any member thereof.

§ 6. No employé shall become a beneficiary under this Act, nor shall pensions or benefits of any kind be allowed or paid from said fund until five years after the date upon which this Act is in force and effect.

§ 7. Any employé who shall have been in the service of such city, village or town for a period of not less than twenty years, and who shall have attained the age of fifty-five (55) years, shall have the right to retire from the service of such city, village or town at any time after this Act is in force and effect and to become beneficiary hereunder at any time subsequent to five (5) years from and after the date when this Act is in force and effect: *Provided*, such employé shall in the event that he or she shall retire from the service of such city, village or town within said five (5) years period pay into said fund the sum of two dollars (\$2.00) per month until he or she shall become a beneficiary hereunder: *And, provided, further*, that any such employé who shall retire from the service of such city, village or town before deduction shall have been made from the salary or wages of such employé for a period of twenty (20) years shall agree to pay into said fund within three (3) years from and after the date when such employé shall become a beneficiary of said fund, the sum which, together with all moneys previously deducted from the salary or wages of such employé, is equal to the full amount which would have been deducted and applied to said fund during a period of twenty years, and interest thereon at the rate of five per cent (5%) per annum. Such sum so to be paid shall be deducted by the treasurer of such city, village or town in equal monthly installments from the benefits due and payable to such employé at the regular times for the payment of said benefits after he or she shall become a beneficiary hereunder.

§ 8. Any employé who has been in the service of such city, village or town for a period of not less than twenty (20) years, and who shall retire from the service of such city, village or town before attaining the age of fifty-five (55) years shall have the right to continue paying into said fund monthly, at the prescribed rate, and may thereby re-



main in good standing in said fund and shall have the right to become a beneficiary hereunder upon attaining the age of fifty-five (55) years, not, however, until five (5) years from and after the date when this Act is in force and effect: *Provided*, such employé shall in the event that he or she retires from the service of such city, village or town before deduction shall have been made from the salary or wages of such employé for a period of twenty (20) years, pay into such fund within thirty (30) days from the date when he or she shall retire from the service of said city, village or town, a sum which, together with all moneys previously deducted from the salary or wages of such employé is equal to the full amount which would have been deducted and applied to said fund during a period of twenty (20) years.

§ 9. Any employé who has been in the service of said city, village or town for a period of five (5) years, or more, from and after the date when this Act is in force and effect, shall have the right to retire from the service on account of serious disability rendering him or her unable to properly discharge his or her duties and may become a beneficiary under this Act and be entitled to receive the full benefits for a period of not more than two (2) years, which period may be extended upon proof satisfactory to said board of continued disability. Proof of disability shall be furnished by the commissioner of health and by at least one practicing physician of such city, village or town.

§ 10. All pensions granted under the provisions of this Act and every portion thereof shall be exempt from attachment or garnishment process and shall not be seized, taken, subjected to, detained or levied upon by virtue of any execution, or any process or proceedings whatsoever issued out of or by any court in this State for the payment and satisfaction, in whole or in part, of any debt, claim, damage, demand or judgment against any pensioner hereunder, and no pensioner shall have the right to transfer or assign his or her pension, or any part thereof either by way of mortgage or otherwise.

§ 11. All laws and parts of laws which are inconsistent with the provisions of this Act, or any provisions hereof, are hereby repealed.

APPROVED May 31, 1911.

## PENSION FUND—POLICE IN CITIES OVER 50,000—ACT OF 1887 AMENDED.

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| <p>§ 1. Amends sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Act of 1887.</p> <p>§ 1. How fund created.</p> <p>§ 2. Board of trustees of the police pension fund.</p> <p>§ 3. Who shall be pensioner—service for twenty years.</p> <p>§ 4. Physical disability—retiring from active service.</p> <p>§ 5. Certificate of disability.</p> | <p>§ 6. Death in performance of duty—pension to widow—death in service.</p> <p>§ 7. Reporting to chief for examination—service in cases of emergency.</p> <p>§ 8. Pension lost by crime, misdemeanor, etc.</p> <p>§ 9. Meeting of board—officers—certificate—record—list of pensioners.</p> <p>§ 10. Powers of board.</p> <p>§ 2. Repeal.</p> |
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(SENATE BILL NO. 244. APPROVED JUNE 10, 1911.)

AN ACT to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved and in force May 16, 1903, as amended by an Act approved and in force April 19, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved and in force May 16, 1903, as amended by an Act approved and in force April 19, 1907, be and the same are hereby amended to read as follows:

§ 1. That in each city, village or incorporated town in this State, having a population of 50,000 inhabitants or more, there shall be set apart the following moneys to constitute a police pension fund:

*First*—Three-fourths of all moneys received for taxes or for licenses upon dogs.

*Second*—Three per cent of all moneys received from licenses for the keeping of saloons and dramshops, including licenses to wholesale liquor dealers: *Provided, however,* that on and after January 1, 1912, four per cent of such moneys shall be set apart for the purpose aforesaid.

*Third*—All moneys paid for special detail of policemen.

*Fourth*—All moneys received from fines imposed upon policemen of such city, village or town, for violations of the rules and regulations of the police department.

*Fifth*—The proceeds of all sales of unclaimed, lost or stolen property.

*Sixth*—One-fourth of all moneys received from licenses granted to pawn brokers, second-hand dealers and junk stores.

*Seventh*—All moneys received \* \* \* for fines for carrying concealed weapons.

*Eighth*—One-half of all costs collected for violations of city ordinances.

*Ninth*—All rewards given or paid to policemen, except such as shall be excepted by the chief officer of police.

*Tenth*—One and one-half per cent per month which shall be paid by or deducted from the salary of each and every policeman of such city, village or town: *Provided*, no such person shall be compelled to pay more than three dollars a month from his salary.

*Eleventh*—Three per cent of all revenue collected or received by such city, village or incorporated town from all licenses issued by such city, village or incorporated town, not mentioned in this Act: *Provided, however*, that the sum so received from such three per cent shall in no case exceed the sum of fifty thousand dollars per annum.

§ 2. A board composed of five members, \* \* \* to be chosen as hereinafter provided, shall be and constitute a board of trustees to provide for the disbursement of said fund and to designate the beneficiaries thereof as herein directed, which board shall be known as the board of trustees of the police pension fund of such city, village or town. Three members of said board shall be residents of the county in which such city, village or town is located and shall not hold during their term of membership on said board any appointive or elective political offices or positions. They shall be appointed by the mayor or the president of the board of trustees of such city, village or town. One of said members shall serve for a period of one year, beginning on the second Tuesday in May, 1903. One of said members shall serve for a period of two years, beginning on the second Tuesday in May, 1903. The other members shall serve for a period of three years, beginning on the second Tuesday in May, 1903. The successors to any of the foregoing trustees shall serve for a period of three years each, or until such time as their successors are appointed and qualified. The two other persons who, with the members above designated, shall constitute said board, shall be chosen, one from among the policemen, and one from the body of pensioners under this Act, of such city, village or town. The members to be chosen from among the policemen, shall be elected by ballot at an annual [annual] election, at which election all policemen shall be entitled to vote. The members to be chosen from the body of pensioners under this Act shall be elected by ballot at an annual election, at which election all retired policemen, who are pensioners under this Act, and the widows of all deceased pensioners, who are pensioners under this Act, shall be entitled to vote. In the event that there shall be no widow surviving, then the guardian of any children of such deceased pensioner, where such children are also pensioners, may cast the vote to which such widow would have been entitled had

she survived. The election in this section provided for shall be held annually on the third Monday of April, \* \* \* at such place or places in such city, village or town, and under such regulations as shall be prescribed by the \* \* \* said board: *Provided, however*, that no person entitled to vote under the provisions of this section shall cast more than one vote at any such election. In the event of the death, resignation or inability to act of any member of said board, elected under the provisions of this section, the successor of such member shall be elected at a special election, which shall be called by said board and shall be conducted in the same manner as are the annual elections hereunder. Suitable rooms for offices and meetings of such board shall be assigned by the mayor or president of the board of trustees of such city, village or town.

§ 3. Whenever any person shall have been or shall hereafter be appointed and sworn either as a probationary or regular policeman, and shall have served for a period of twenty years or more in the police department of such city, village or town of this State, subject to the provisions of this Act, or where the combined years of service of such person in the police department and fire department \* \* \* of such city, village or town, shall aggregate twenty years or more, said board shall order and direct that such person, after \* \* \* his service in such police department shall have ceased, shall be paid a yearly pension equal to one-half the amount of the salary attached to the rank which he may have held in said police department for one year immediately prior to the time of such retirement: *Provided, however*, the maximum of said pension shall not exceed the sum of nine hundred dollars, and the minimum be not less than six hundred dollars per annum; and after the death of such person pensioned by virtue of this section of the Act to which this is an amendment, or any Acts amendatory thereof, the widow or child or children under sixteen years of age of any such pensioner who died prior to the taking effect of this amendment, shall hereafter be paid the pension herein provided for such husband or father; but nothing herein contained shall warrant the payment of any annuity to any such widow after she shall have remarried: *And, provided, further*, that all policemen retired after twenty years' service \* \* \* in the police department (or where the combined years of service of such person in the police and fire departments shall aggregate twenty years or more) \* \* \* now receiving a pension, shall receive the same pension now allowed them, and that the widow or child or children under sixteen years of age of any deceased pensioner, pensioned as aforesaid, shall receive the same pension heretofore received by such deceased husband or father: *Provided*, that in no case shall said pension exceed the sum of nine hundred dollars per annum.

§ 4. Whenever any policemen of any such city, village or town shall become physically disabled while in and in consequence of the performance of police duty, said board shall, upon his written request, or



without such request, if it deem it for the good of the department, retire such person from active service and order and direct that he be paid from said fund a yearly pension not exceeding one-half the amount of the salary attached to the rank which he may have held in said police department at the time of his retirement: *Provided*, that the maximum sum of such pension shall not exceed the sum of nine hundred dollars per year, and the minimum not less than six hundred dollars per year: *Provided, further*, that whenever such disability shall cease such pension shall cease, and such person shall thereupon be reinstated in the department in the rank held by him at the time of his retirement.

§ 5. No person shall be retired, as provided in the next preceding section, or receive any benefit from said fund, unless there shall be filed with said board, certificates of his disability, which certificates shall be subscribed and sworn to \* \* \* by the city, village or town physician (if there be one) and one practicing physician of such city, village or town, and such board may require other evidence of disability before ordering such retirement and payment, as aforesaid.

§ 6. Whenever any policeman of such city, village or town shall lose his life while in the performance of police duty, or receive injuries from which he shall thereafter die, leaving a widow, or child, or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, such board shall order and direct that a yearly pension of one-half of the salary received by such policeman, not to exceed nine hundred dollars, and a minimum not less than six hundred dollars per year, shall be paid to such widow during her life, or if no widow, then to such child or children until they shall be sixteen years of age: *Provided*, if such widow, child or children shall marry, then such person so marrying shall thereafter receive no further pension from such fund: *And, provided, further*, that whenever any policeman of such city, village or town has been retired after twenty years' service, or physically disabled, shall then marry, such wife or child or children of such marriage shall after his death receive no pension from said fund.

Whenever any policeman shall die after ten years' service and while still in the service of such city, village or town, as a policeman, leaving a widow or child or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, said board shall order and direct that a pension of one-half the salary, not exceeding the sum of nine hundred dollars, shall be paid to such widow, or if there be no widow, then to such child or children until they shall be sixteen years of age, said pension to cease upon marriage, as provided above.

Whenever any policeman shall, after ten years' service and while still in the service of such city, village or town, be legally adjudged to be insane and at such time shall have a wife or child or children under the age of sixteen years, said board shall order and direct that a pension of one-half the salary, not exceeding the sum of nine hundred dollars, shall be paid to such wife, or if there be no wife, then to such child or children, until they shall be sixteen years of age: *Provided, however*, that

if at any time it be declared in the manner provided by law that such person is restored to reason, then such pension shall cease, and such person shall, in the discretion of said board, be reinstated in the department in the rank held by him at the time he was legally adjudged to be insane: *Provided, further*, that such pension shall cease if such person shall leave or be taken outside of the State of Illinois.

§ 7. Any person retired for disability under this Act, may be summoned to appear before the board herein provided for, at any time thereafter, and shall submit himself thereto for examination as to his fitness for duty, and shall abide the decision and order of such board with reference thereto. And all policemen who may be retired under the provisions of this Act, except those who \* \* \* retire after twenty years' service, shall report to the chief of police of the city, village or town where so retired, on the second Tuesday of each and every month, unless excused in writing by the chief of police, and in cases of emergency may be assigned to, and shall perform, such duty as such chief of police may direct, and such person shall have no claim against the city, village or town for payment for such duty so performed.

§ 8. Whenever any person who shall have received any benefit from said fund shall be convicted of any felony or shall become an habitual drunkard or shall become a non-resident of the United States, or shall fail to report himself for examination as to fitness for duty, unless excused in writing by the board, or shall disobey the requirements of said board \* \* \* in respect to said examination, or shall fail to report to the chief of police as required by the preceding section, then such board shall order that such pension allowance as may have been granted to such person shall immediately cease and determine, and such person shall receive no further pension, allowance or benefit under this Act.

§ 9. The board herein provided for shall hold quarterly meetings on the second Tuesday of July, October, January and April of each year, and special meetings upon the call of the president of said board. On the second Tuesday of July of each year, it shall select one of its members who shall act as the president of such board for the period of one year, or until such time as his successor is elected and qualified. Said board shall, on the same day, also, select another of its members who shall act as the treasurer, and also secretary of said board for the period of one year or until such time as his successor is elected or qualified. Said board shall issue certificates signed by its president and secretary to the persons entitled thereto of the amount of money ordered paid to such persons from said fund by said board, which certificates shall state for what purpose said payment is made. Said board shall keep a record of the proceedings of all its meetings, which record shall be a public record. Said board shall submit semi-annually to the board of trustees of such village or town or the common council of such city, a list of persons entitled to payments from the fund herein pro-

vided, stating the amount of such payments, and for what granted, as ordered by such board, which list shall be signed and certified by the treasurer and president of such board, and attested by such treasurer under oath: *Provided*, that no resolution shall be passed or order made for the payment of money unless by affirmative vote of a majority of the members of said board.

§ 10. In addition to the other powers herein granted, the following further powers and authority are hereby conferred upon said board:

*First*—The said board shall have exclusive control and management of the fund mentioned herein, and of all moneys donated, paid or assessed for the relief or pensioning of disabled, superannuated and retired policemen, their widows and minor children; the same to be placed by the treasurer of such board to the credit of such fund subject to the order of such board.

*Second*—All rewards, moneys, gifts, fees or emoluments that may be paid or given for, or on account of extraordinary service by said police department or by any policemen, except when allowed to be retained by said policeman or given to endow a medal or other competitive reward, shall be paid into said pension fund. The said board may take by gift, grant, devise, or bequest, any moneys, real estate, personal property, right of property, or other valuable thing.

*Third*—Said board \* \* \* shall have the power to draw such pension fund from the treasurer or other officials of such city, village or town, and may invest such fund, or any part thereof, in the name of the board of trustees of the police pension fund, in interest bearing bonds of the United States, of the State of Illinois, or of any county of this State, or of any township or any municipal corporation of the State of Illinois, and all such securities shall be deposited with the treasurer of said board and shall be subject to the order of said board; said treasurer of said board shall furnish a good and sufficient bond to said board in an amount to be fixed by said board, all costs, incidental to same, to be paid out of said pension fund.

*Fourth*—To compel witnesses to attend and testify before it, upon all matters connected with the operation of this Act, in the same manner as is or may be provided by law for the taking of testimony before masters in chancery, and its president, or any member of said board, may administer oaths to such witnesses.

*Fifth*—To appoint a clerk and define his duties.

*Sixth*—To provide for the payment from said funds of all its necessary expenses, including clerk hire, printing and witness fees: *Provided*, that no compensation or emolument shall be paid to any member of said board for any duty required or performed under this Act: *And, provided further*, that the interest on said fund or any portion thereof shall be credited thereto and no portion thereof shall be retained by the treasurer of said board.

*Seventh*—To make all necessary rules and regulations for its guidance, in conformity with the provisions of this Act.



§ 2. All Acts or parts of Acts or amendments thereof heretofore enacted, and in any manner conflicting with the provisions of this Act, are hereby expressly repealed.

APPROVED June 10, 1911.

PENSION FUND—POLICE IN CITIES OVER 50,000—PENSIONER AND SERVICE.

§ 1. Amends section 3, Act of 1887.

§ 3. Who shall be pensioner—service for twenty years.

(SENATE BILL No. 353. APPROVED JUNE 10, 1911.)

AN ACT to amend section three of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29th, 1887, in force July 1st, 1887, as amended by an Act approved April 24th, 1899, in force July 1st, 1899, as amended by an Act approved May 11th, 1901, in force July 1st, 1901, as amended by an Act approved and in force May 16th, 1903.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section three of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29th, 1887, in force July 1st, 1887, as amended by an Act approved April 24th, 1889, [1899], in force July 1st, 1899, as amended by an Act approved May 11th, 1901, in force July 1st, 1901, as amended by an Act approved and in force May 16th, 1903, be amended so as to read as follows:

§ 3. Whenever any person at the time of the taking effect of said Act, to which this is an amendment, or thereafter shall be duly appointed and sworn, and have served for the period of twenty years or more upon the regularly constituted police force of such city, village or town of this State, subject to the provisions of this Act, or where the combined years of service of any person upon the police force and the fire department, as aforesaid, of such city, village or town of this State, or where the combined years of service of any person as patrol driver or vehicle inspector and patrolman of such city, village or town of this State, shall aggregate twenty years or more, said board shall order and direct that such person after his service on such police force shall have ceased, and all officers entitled to and having a pension under said Act, to which this is an amendment, after the taking effect of this Act shall be paid from such fund a yearly pension equal to one-half the amount of salary attached to the rank which he may have held on said police force for one year immediately prior to the time of such retirement: *Provided, however,* the maximum of said pension shall not exceed the sum of \$900 and the minimum not less than \$600. And after the decease of such member, his widow or minor child or children under sixteen years of age, if any survive him, shall be entitled to the pension provided for in this Act, of such a deceased husband or father;



but nothing in this or any other section of this Act shall warrant the payment of any annuity to any widow of a deceased member of said police department, after she shall have re-married: *And, provided, further,* that all police officers retired after twenty years' service in the police department of such city, village or town, and who are above the age of fifty years, now on the police pension rolls, shall receive the same pension now allowed them: *Provided,* that in no case shall said pension exceed the sum of \$900.

APPROVED June 10, 1911.

PENSION FUND—POLICE IN CITIES OVER 50,000—POLICE MATRON.

§ 1. Adds section 3a to Act of 1887.

§ 3a. Police matron made beneficiary under Act.

(HOUSE BILL NO. 532. APPROVED JUNE 10, 1911.)

AN ACT to amend an Act entitled "*An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns,*" approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by Act approved May 11, 1901, in force July 1, 1901, as amended by Act approved and in force May 16, 1903, as amended by an Act approved and in force April 19, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "*An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns,*" approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved and in force May 16, 1903, as amended by an Act approved and in force April 19, 1907, be amended by adding thereto a new section to be known as section 3a, to read as follows:

§ 3a. Whenever any person shall have been or shall hereafter be appointed and sworn as police matron in the police department of such city, village or town of this State, subject to the provisions of said Act, such police matron shall be a beneficiary under said Act and be paid a pension out of the police pension fund: *Provided, however,* that any such police matron, upon paying into the fund the amount of one per cent of the salary received during her period of service prior to the going into effect of this Act shall become entitled to all the benefits hereof from the date of the beginning of such period of service: *Provided, further,* that such payment shall be made within a period of one year from and after the time this Act goes into effect; and in event of any such police matron becomes entitled to the benefits of this Act, before such sum is so paid, the treasurer of such fund shall deduct the amount due and unpaid from the pension so due, and the police matron or her children, as the case may be, shall thereupon be entitled

to the full benefits of this Act: *And, provided, further,* that one and one-half per cent per month shall be paid by or deducted from the salary of such police matron of such city village or town: *Provided,* no such matron shall be compelled to pay more than three dollars per month from her salary.

Whenever any person shall have been or shall hereafter be appointed and sworn as police matron and shall have served for a period of twenty years or more in the police department of such city, village or town of this State, subject to the provisions of this Act, or where the combined years of service of such person in the police department of such city, village or town, shall aggregate twenty years or more, said board shall order and direct that such person, after her service in such police department shall have ceased, shall be paid a yearly pension equal to one-half the amount of the salary attached to the rank which she may have held in said police department for one year immediately prior to the time of such retirement: *Provided, however,* the maximum of said pension shall not exceed the sum of nine hundred dollars per annum: *And, provided, further,* after the death of such matron pensioned, after twenty years of service, her child or children, if any, shall be paid the amount of such pension such matron received before her death, until such child or children arrives at the age of sixteen years.

Whenever any police matron of any such city, village or town, shall become physically disabled while in and in consequence of the performance of police duty, said board shall, upon her written request, or without such request if it deem it for the good of the department, retire such person from active service and order and direct that she be paid from said fund a yearly pension not exceeding one-half the amount the salary attached to the rank which she may have held in said police department at the time of her retirement: *Provided,* that the maximum sum of such pension shall not exceed the sum of nine hundred dollars per year: *Provided, further,* that whenever such disability shall cease, such pension shall cease and such person shall thereupon be re-instated in the department in the rank held by her at the time of her retirement.

No person shall be retired as provided in the next preceding section, or receive any benefit from said fund, unless there shall be filed with said board, certificates of her disability, which certificates shall be subscribed and sworn to by the city, village or town physician (if there is one) and one practicing physician of such city, village or town, and such board may require other evidence of disability before ordering such retirement and payment as aforesaid.

Whenever any police matron of such city, village or town shall lose her life while in the performance of police duty, or receive injuries from which she shall thereafter die, leaving a child or children under the age of sixteen years then upon satisfactory proof of such facts made to it, such board shall order and direct that a yearly pension of one-half of the salary received by such police matron, not to exceed nine hun-

dred dollars per year shall be paid to such child or children until they shall be sixteen years of age: *Provided*, if such police matron shall marry then such matron so marrying shall thereafter receive no further pension from such fund: *And, provided, further*, that whenever any police matron of such city, village or town has been retired after twenty years' service, or physically disabled, shall then marry, such child or children of such marriage shall after her death receive no pension from said fund.

Whenever any police matron shall die after ten years' service and while still in the service of such city, village or town, as a police matron, leaving a child or children under the age of sixteen years, then, upon satisfactory proof of such facts made to it, said board shall order and direct that a pension of one-half the salary not exceeding the sum of nine hundred dollars, shall be paid to such child or children until they shall be sixteen years of age.

Whenever any police matron shall, after ten years' service and while still in the service of such city, village or town, be legally adjudged to be insane and at such time shall have a child or children under the age of sixteen years, said board shall order and direct that a pension of one-half the salary, not exceeding the sum of nine hundred dollars, shall be paid to such child or children until they shall be sixteen years of age: *Provided, however*, that if at any time it be declared in the manner provided by law that such person is restored to reason, then such pension shall cease, and such person shall, in the discretion of such board, be reinstated in the department in the rank held by her at the time she was legally adjudged to be insane: *Provided, further*, that such pension shall cease if such person shall leave or be taken outside of the State of Illinois.

Any person retired for disability under this Act, may be summoned to appear before the board herein provided for, at any time thereafter, and shall submit herself thereto for examination as to her fitness for duty and shall abide the decision and order of such board with reference thereto. And all police matrons who may be retired under the provisions of this Act except those who retire after twenty years' service shall report to the chief of police of the city, village or town where so retired, on the second Tuesday of each and every month, unless excused in writing by the chief of police, and in cases of emergency may be assigned to, and shall perform such duty as such chief of police may direct and such person shall have no claim against the city, village or town for payment for such duty so performed: *Provided, further*, that the said police matrons shall be subject to all the provisions of said Act and to the rules and regulations of said board the same as the other beneficiaries under said Act.

APPROVED June 10, 1911.

POLICE MAGISTRATES IN MUNICIPALITIES IN TWO OR MORE COUNTIES.  
ACT OF 1901 REPEALED.

§ 1. Repeals Act of 1901.

(HOUSE BILL NO. 335. APPROVED JUNE 2, 1911.)

AN ACT to repeal an Act entitled, "*An Act defining the county in which police magistrates elected in cities and villages lying in two or more counties shall hold office and where such police magistrates shall exercise jurisdiction,*" approved May 14, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act defining the county in which police magistrates elected in cities and villages lying in two or more counties shall hold office, and where such police magistrates shall exercise jurisdiction,*" approved May 14, 1901, in force July 1, 1901, be and the same is hereby repealed.

APPROVED June 2, 1911.

POWERS—BATHING BEACHES, FIREWORKS, GARAGES, LAUNDRIES,  
SHOPS, YARDS, ETC.

§ 1. Amends section 1, article 5, Act of 1872.

§ 1. Amends following items—

- 65. Fire works, fire crackers, etc.
- 77. Sanatoria and undertaking establishments.
- 82. Machine shops, garages, laundries and bathing beaches.

93. Coal and coal yards.

95. Junk stores and yards.

97. Acquisition of bathing beaches and recreation piers.

98. Formerly item number 97.

(HOUSE BILL NO. 324. APPROVED JUNE 5, 1911.)

AN ACT to amend section 1 of article V of "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of article V of an Act entitled, "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907, be amended so as to read as follows, viz.:

§ 1. The city council in cities, and the president and the board of trustees in villages, shall have the following powers:

*First*—To control the finances and property of the corporation.

*Second*—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation.

*Third*—To levy and collect taxes for general and special purposes on real and personal property.



*Fourth*—To fix the amount, terms and manner of issuing and revoking licenses.

*Fifth*—To borrow money on the credit of the corporation for corporate purposes, and issue bonds therefor, in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to an amount, including existing indebtedness in the aggregate to exceed five (5) per centum on the value of the taxable property therein, to be ascertained by the last assessment for the State and county taxes previous to the incurring of such indebtedness; and before or at the time of incurring any indebtedness, shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years after constructing (contracting) the same.

*Sixth*—To issue bonds in place of or to supply means to meet maturing bonds, or for the consolidation or funding of the same.

*Seventh*—To lay out, to establish, open, alter, widen, extend, grade, pave or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds, and vacate the same.

*Eighth*—To plant trees upon the same.

*Ninth*—To regulate the use of the same.

*Tenth*—To prevent and remove encroachments or obstructions upon the same.

*Eleventh*—To provide for the lighting of the same.

*Twelfth*—To provide for the cleansing of the same.

*Thirteenth*—To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas lights: *Provided, however,* that any company heretofore organized under the general laws of this State, or any association of persons organized or which may be hereafter organized for the purpose of manufacturing illuminating gas to supply cities or villages, or the inhabitants thereof, with the same, shall have the right by consent of the common council (subject to existing rights), to erect gas factories, and lay down pipes in the streets or alleys of any city or village in this State, subject to such regulations as any such city or village may by ordinance impose.

*Fourteenth*—To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalks in front of, or along the same, free from snow and other obstructions.

*Fifteenth*—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury to any street, avenue, alley, or public ground.

*Sixteenth*—To provide for and regulate crosswalks, curbs and gutters.

*Seventeenth*—To regulate and prevent the use of streets, sidewalks, and public grounds for signs, sign posts, awnings, awning posts, telegraph poles, horse troughs, racks, posting hand bills and advertisements.

*Eighteenth*—To regulate and prohibit the exhibition or carrying of banners, placards, advertisements or hand bills in the streets or public grounds, or upon the sidewalks.

*Nineteenth*—To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

*Twentieth*—To regulate traffic and sales upon the streets, sidewalks and public places.

*Twenty-first*—To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation.

*Twenty-second*—To regulate the numbering of houses and lots.

*Twenty-third*—To name and change the name of any street, avenue, alley or other public place.

*Twenty-fourth*—To permit, regulate or prohibit the locating, constructing or laying a track of any horse railroad in any street, alley or public place; but such permission shall not be for a longer time than for twenty years.

*Twenty-fifth*—To provide for and change the location, grade and crossing of any railroad.

*Twenty-sixth*—To require railroad companies to fence their respective railroads, or any portion of the same, and to construct cattle guards, crossings of streets and public roads, and keep the same in repair, within the limits of the corporation. In case any railroad company shall fail to comply with any such ordinance, it shall be liable for all damages the owner of any cattle or horses or other domestic animal may sustain by reason of injuries thereto while on the track of such railroad, in like manner and extent as under the general laws of this State, relative to the fencing of railroads; and actions to recover such damages may be instituted before any justice of the peace or other court of competent jurisdiction.

*Twenty-seventh*—To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property in the use of such railroads. To compel such railroads to raise or lower their railroad tracks to conform to any grade which may, at any time, be established by said city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their railroad tracks so that filthy or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

*Twenty-eighth*—To construct and keep in repair bridges, viaducts, and tunnels, and to regulate the use thereof.

*Twenty-ninth*—To construct and keep in repair culverts, drains, sewers and cesspools and to regulate the use thereof.

*Thirtieth*—To deepen, widen, dock, cover, wall, alter or change channel of water courses.

*Thirty-first*—To construct and keep in repair canals and slips for the accommodation of commerce.

*Thirty-second*—To erect and keep in repair public landing places, wharves, docks and levees.

*Thirty-third*—To regulate and control the use of public and private landing places, wharves, docks and levees.

*Thirty-fourth*—To control and regulate the anchorage, moorage and landing of all water craft and their cargoes within the jurisdiction of the corporation.

*Thirty-fifth*—To license, regulate and prohibit wharf-boats, tugs and other boats used about the harbor, or within such jurisdiction.

*Thirty-sixth*—To fix the rate of wharfage and dockage.

*Thirty-seventh*—To collect wharfage and dockage from all boats, rafts or other craft landing at or using any public landing place, wharf, dock or levee within the limits of the corporation.

*Thirty-eighth*—To make regulations in regard to use of harbors, towing of vessels, opening and passing of bridges.

*Thirty-ninth*—To appoint harbor masters and define their duties.

*Fortieth*—To provide for the cleansing and purification of waters, water-courses and canals, and the draining or filling of ponds on private property, whenever necessary to prevent or abate nuisances.

*Forty-first*—To license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements, and to revoke such license at pleasure.

*Forty-second*—To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all others pursuing like occupations, and to prescribe their compensation.

*Forty-third*—To license, regulate, tax and restrain runners for stages, cars, public houses, or other things or persons.

*Forty-fourth*—To license, regulate, tax or prohibit and suppress billiard, bagatelle, pigeon-hole or any other tables or implements kept or used for a similar purpose in any place of public resort, pin alleys and ball alleys.

*Forty-fifth*—To suppress bawdy and disorderly houses, houses of ill-fame or assignation, within the limits of the city and within three miles of the outer boundaries of the city; and also to suppress gaming and gambling houses, lotteries, and all fraudulent devices and practices, for the purpose of gaining or obtaining money or property; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

*Forty-sixth*—To license, regulate and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license: *Provided*, that the city council in cities, or presidents and boards of trustees in villages, may grant permits to druggists for the sale of

liquors for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: *Provided, further*, that in granting licenses, such corporate authorities shall comply with whatever general law of the State may be in force relative to the granting of licenses.

*Forty-seventh*—The foregoing shall not be construed to affect the provisions of the charter of any literary institution heretofore granted.

*Forty-eighth*—And the city council in cities, and president and board of trustees in villages, shall also have the power to forbid and punish the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any minor, apprentice or servant or insane, idiotic or distracted person, habitual drunkard, or person intoxicated.

*Forty-ninth*—To establish markets and market-houses, and provide for the regulation and use thereof.

*Fiftieth*—To regulate the sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and to provide for place and manner of selling the same.

*Fifty-first*—To prevent and punish forestalling and regrating.

*Fifty-second*—To regulate the sale of bread in the city or village; prescribe the weight and quality of bread in the loaf.

*Fifty-third*—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other provisions.

*Fifty-fourth*—To regulate the inspection, weighing and measuring of brick, lumber, firewood, coal, hay, and any article of merchandise.

*Fifty-fifth*—To provide for the inspection and sealing of weights and measures.

*Fifty-sixth*—To enforce the keeping and use of proper weights and measures by vendors.

*Fifty-seventh*—To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

*Fifty-eighth*—To regulate places of amusement.

*Fifty-ninth*—To prevent intoxication, fighting, quarreling, dog fights, cock fights, and all disorderly conduct.

*Sixtieth*—To regulate partition fences and party walls.

*Sixty-first*—To prescribe the thickness, strength, and manner of constructing stone, brick and other buildings and construction of fire escapes therein.

*Sixty-second*—The city council, and the president and trustees in villages, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected or placed, or repaired, without permission, and to direct that all and any buildings within the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent of the value, shall be torn down or removed and to prescribe the manner of ascertaining such damage.



*Sixty-third*—To prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stove-pipes, ovens, boilers, and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing and prompting (promoting) fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and enclosures as may be in a dangerous state to be put in a safe condition.

*Sixty-fourth*—To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other implements for prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

*Sixty-fifth*—To regulate and prevent storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops, and other places, and the building of bon-fires; also to regulate, restrain and prohibit the use of fireworks, firecrackers, torpedoes, Roman candles, sky-rockets, and other pyrotechnic displays.

*Sixty-sixth*—To regulate the police of the city or village, and pass and enforce all necessary police ordinances.

*Sixty-seventh*—To provide for the inspection of steam boilers.

*Sixty-eighth*—To prescribe the duties and powers of a superintendent of police, policemen and watchmen.

*Sixty-ninth*—To establish and erect calaboooses, bridewells, houses of correction and workhouses for the reformation and confinement of vagrants, idle and disorderly persons, and persons convicted of violating any city or village ordinance, and make rules and regulations for the government of the same, and appoint necessary keepers and assistants.

*Seventieth*—To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county board.

*Seventy-first*—To provide by ordinance in regard to the relation between all the officers and employés of the corporation in respect to each other, the corporation and the people.

*Seventy-second*—To prevent and suppress riots, routs, affrays, noises, disturbances, disorderly assemblies in any public or private place.

*Seventy-third*—To prohibit and punish cruelty to animals.

*Seventy-fourth*—To restrain and punish vagrants, mendicants and prostitutes.

*Seventy-fifth*—To declare what shall be a nuisance, and to abate the same; and to impose fines upon parties who may create, continue or suffer nuisances to exist.

*Seventy-sixth*—To appoint a board of health, and prescribe its powers and duties.

*Seventy-seventh*—To erect and establish hospitals and medical dispensaries, and to regulate hospitals, medical dispensaries, sanatoria and undertaking establishments, and to direct the location thereof.

*Seventy-eighth*—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

*Seventy-ninth*—To establish and regulate cemeteries within or without the corporation, and acquire lands therefore [therefor], by purchase or otherwise, and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

*Eightieth*—To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.

*Eighty-first*—To direct the location and regulate the management and construction of packing houses, renderies, tallow chandleries, bone factories, soap factories, and tanneries, within the limits of the city or village, and within the distance of one mile without the city or village limits.

*Eighty-second*—To direct the location and regulate the use and construction of breweries, distilleries, livery, boarding or sale stables, blacksmith shops, foundries, machine shops, garages, laundries and bathing beaches, within the limits of the city or village.

*Eighty-third*—To prohibit any offensive or unwholesome business or establishment within or within one mile of the limits of the corporation.

*Eighty-fourth*—To compel the owner of any grocery, cellar, soap or tallow chandlery, tannery, stable, pig-sty, privy, sewer or other unwholesome or nauseous house or place, to cleanse, abate or remove the same, and to regulate the location thereof.

*Eighty-fifth*—The city council or trustees of a village, shall have power to provide for the taking of the city or village census; but no city or village census shall be taken by authority of the council or trustees oftener than once in three years.

*Eighty-sixth*—To provide for the erection and care of all public buildings necessary for the use of the city or village.

*Eighty-seventh*—To establish ferries, toll bridges and license and regulate the same, and from time to time to fix tolls thereon.

*Eighty-eighth*—To authorize the construction of mills, mill-races, and feeders on, through or across the streets of the city or village, at such places and under such restriction as they shall deem proper.

*Eighty-ninth*—The city council shall have power, by condemnation or otherwise, to extend any street, alley or highway over or across, or to construct any sewer under or through any railroad track, right of way, or land of any railroad company (within the corporate limits); but where no compensation is made to such railroad company the city shall restore such railroad track, right of way or land to its former state, or in a sufficient manner not to have impaired its usefulness.

*Ninetieth*—The city council or board of trustees shall have no power to grant the use of or the right to lay down any railroad tracks in any street of the city to any steam, dummy, electric, cable, horse or other railroad company, whether the same shall be incorporated under any general or special law of the State, now or hereafter in force, except upon the petition of the owners of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes, and when the street or part thereof sought to be used shall be more than one mile in extent, no petition of land owners shall be valid unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile and of the fraction of a mile, if any in excess of the whole miles measuring from the initial point named in such petition of such street or of the part thereof, sought to be used for railroad purposes.

*Ninety-first*—To tax, license and regulate auctioneers, distillers, breweries, lumber yards, livery stables, public scales, money changers and brokers.

*Ninety-second*—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams and horses.

*Ninety-third*—To regulate and prohibit the keeping of any lumber or coal yard, and the placing or piling or selling any lumber, timber, wood, coal or other combustible material, within the fire limits of the city.

*Ninety-fourth*—To provide by ordinance, that all the paper, printing, stationery, blanks, fuel, and all the supplies needed for the use of the city, shall be furnished by contract, let to the lowest bidder.

*Ninety-fifth*—To tax, license and regulate second-hand and junk stores and yards, and to forbid their purchasing or receiving from miners without the written consent of their parents or guardians, any article whatsoever, and to direct the location thereof.

*Ninety-sixth*—To direct, license and control all wagons and other vehicles conveying loads within the city, or any particular class of such wagons, and other vehicles, and prescribe the width and tire of the same, the license fee when collected to be kept as a separate fund and used only for paying the cost and expense of street or alley, improvement or repair.

*Ninety-seventh*—To acquire, in the manner now or hereafter provided by law for the taking of private property for public use, private lands bordering upon the public or navigable waters, useful, desirable or advantageous for bathing beaches and recreation piers.

*Ninety-eighth*—To pass all ordinances, rules, and make all regulations, proper or necessary, to carry into effect the powers granted to cities or villages, with such fines or penalties as the city council or



board of trustees shall deem proper: *Provided*, no fine or penalty shall exceed \$200.00, and no imprisonment shall exceed six months for one offense.

APPROVED June 5, 1911.

POWERS—HARBOR STRUCTURES, FACILITIES, ETC.

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| § 1. Power of city relative to harbor structures, facilities, utilities, submerged lands, etc. | § 5. Accounts kept by city—annual report to Auditor. |
| § 2. Consent of city to construct and operate utilities—purchase by city.                      | § 6. Location of harbor facility—garbage, etc.       |
| § 3. Lease of harbor facilities—limitation—submission to electors.                             | § 7. Riparian owners—condemnation—compensation.      |
| § 4. Made lands property of State.   | § 8. Public utilities subject to State laws.         |
|  | § 9. Repeal.   |

(SENATE BILL NO. 149. APPROVED JUNE 10, 1911.)

AN ACT to enlarge the power of cities in relation to harbors, canals, wharves, docks, piers, slips and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, to authorize the acquisition and condemnation of property and the use, occupation, reclamation and acquisition of the submerged lands of the State in carrying out such power, and to repeal all Acts or parts of Acts in conflict therewith.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, subject to the provisions of this Act, every city in this State shall have the power to acquire, own, construct, maintain and operate anywhere within the limits or jurisdiction of the city, or in, over or upon any public waters bordering thereon, harbors, canals, wharves, docks, piers, slips, levees, and all other appropriate harbor facilities and improvements, and in connection therewith to acquire, own, construct, maintain and operate such elevators, vaults and warehouses (including cold storage warehouses), as may be a necessary adjunct or incidental to transportation, railroad tracks and railroad terminals, and all other necessary or appropriate terminal facilities; to lease particular portions of any of the utilities mentioned in this section to persons, firms, or private corporations, for the purpose of using the same for a period not longer than twenty (20) years upon such terms and conditions not granting right of renewal nor relating to taking over of tenants' improvements, except as shall be fixed by the city council by ordinance, and to fix and regulate the rates and charges for the use of such utilities whether owned and operated by the city, or by persons, firms or private corporations tenants of such city: *Provided, however*, that except as to railroad facilities at least one-third capacity of each and every such utilities shall not be leased for a period to exceed one year and that at least one-half of the said one-third shall at all times be reserved by such city for general public use, and that not to exceed fifty per cent in capacity of the re-



maining two-thirds capacity of each and every of such utilities shall be leased to any one person, firm or private corporation: *Provided, however,* that no leases authorized under this Act shall contain conditions which shall admit of any unjust, undue or unreasonable preference or discrimination between lessees; and for the purpose of carrying out the powers herein granted, to acquire by purchase, condemnation (in any manner now or hereafter provided by law for the taking of private or public property for public use), or construction for a stipulated money consideration only or by day labor or by unconditioned gift, any and all property, real, personal or mixed, and any and all property rights, easements and privileges of every kind and nature whatsoever, including all harbors, canals, wharves, docks, piers, slips and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, which cities are authorized to acquire, own, construct, maintain or operate under the provisions of this Act, and which are owned by persons, firms or private corporations, and all rights, terms, easements and privileges pertaining thereto, and the enumeration herein of specific kinds of property and property rights, which may be so acquired shall not be construed in any way to limit or abridge the general powers of acquisition of property, and property rights herein granted. Every city in this State shall also have the right, power and authority, and such right, power and authority is hereby granted, to use, occupy or reclaim all such submerged lands under the public waters of the State within the limits or jurisdiction of, or bordering on such city, as may be necessary or appropriate for any of the purposes hereinbefore in this Act enumerated, and the right or license herein granted to cities to use, occupy or reclaim such submerged lands shall be superior to and shall take precedence over any similar right or license heretofore granted to any person, firm, private or municipal or public corporation other than a city (in so far as such right has not been exercised), at the time when such city by ordinance, as to lands therein particularly described, shall elect or determine to use such right or license, and no person, firm, or private corporation, at any time, and no municipal or other public corporation other than a city, except as in this Act or under the terms of any other law of this State may be provided, shall, after this Act goes into force and effect, construct a harbor, canal, wharf, dock, pier, slip, levee or any other harbor facility or improvement over or upon such submerged lands within the limits or jurisdiction of any city, or over or upon any public waters bordering thereon; without first securing the consent of the city council of such city.

§ 2. Subject to the provisions of this Act, any city in this State (by ordinance duly passed by its city council) may grant its consent to the construction or operation within its limits or jurisdiction, or in, over or upon any public waters bordering thereon, of any one or more of the utilities mentioned in section 1 of this Act by any municipal or public corporation, other than a city, authorized by law to construct

and operate such utilities, or any one or more of them, and such consent may be granted on such terms and conditions as may be provided by law and in case no terms and conditions are provided by law then upon such terms and conditions as may be agreed upon by such city and such other municipal or public corporation. Whenever, under the terms of any other law of this State, any such municipal or public corporation, shall have constructed any of the utilities mentioned in section 1 of this Act, within the limits or jurisdiction of any city, or in, over or upon any public waters bordering thereon, such city shall have the right, power and authority to purchase the same under such terms and conditions as may be provided by law, and, in case no terms and conditions are provided by law, then under such terms and conditions as may be agreed upon by such city and such other municipal or public corporation.

§ 3. No ordinance providing for the leasing by any city of a particular portion of any harbor, wharf, dock, pier, slip, levee, or other harbor facility mentioned in this Act (and authorized under section 1, hereof to be leased) for any period in excess of five years or prescribing the location where the facilities, improvements and utilities mentioned in section 1 of this Act shall be constructed, shall go into effect until ninety days after the passage thereof, and if within such ninety days a petition shall be filed in the office of the city clerk signed by five per cent (5%) of the registered voters of such city as shown by the last preceding election for mayor requesting that such ordinance be submitted to popular vote, it shall be the duty of the city clerk, within three days after the filing in his office of such petition, to file the same, together with a copy of the ordinance, certified by said city clerk to be a true copy thereof, in the office of the officer or officers having jurisdiction over elections of such city, and it shall thereupon be the duty of such election officer or officers to submit to the electors of the city, in the same manner as is provided by section 2 of "An Act providing for an expression of opinion by electors on questions of public policy at any general or special election," approved May 11, 1901, at the first succeeding general or special election occurring more than ninety days thereafter, the question of whether or not such ordinance shall be approved and such ordinance shall not go into effect until it shall have been approved by a majority of the electors voting thereon at such general or special election: *Provided, however*, that each ordinance providing for leasing shall have a complete and true copy of such proposed lease thereto attached.

§ 4. As the sole consideration for the rights hereby conferred upon any such city, and as irrevocable condition precedent it is hereby provided, that any such city, so taking possession of the lands and submerged lands as hereinbefore mentioned, does so solely and only for a public purpose; and it is hereby provided that if by reason of any thing in this Act granted or any filling or work done in connection therewith by any city, or from natural causes any land shall be formed or made, that such land shall not be regarded as an accretion to any

such city, but that the same shall be owned by the people of the State of Illinois, and no such city shall by the provision of this Act require any right, title or interest in or to any such land.

If any such city shall at any time sell or attempt to sell or otherwise bargain, grant or dispose of the title to such lands or any part thereof then as to such lands the rights of such city shall cease and determine and the right to occupy and possess the same shall thereupon cease and the possession of all of said lands shall thereupon revert to the State of Illinois and all rights of any such city in and to the same or to any improvements thereon shall thereupon cease and end. None of said lands shall be leased for any private purpose, but only in conformity with the provisions of this Act.

§ 5. Such city shall keep all accounts in connection with the construction of or the operation and maintenance of said harbor facility or improvement mentioned in this Act, separate and distinct from any other accounts kept by such city, and they shall include therein all expenditures arising therefrom, and said accounts shall be submitted once each year to the Auditor of Public Accounts of the State of Illinois.

§ 6. No portion of any harbor, wharf, canal, dock, pier, slip, levee, or other harbor facility or improvement mentioned in this Act shall be constructed nearer than one (1) mile from any intake of water for public consumption, and in constructing such improvements no garbage, ashes or waste shall be dumped into any public waters nearer than four (4) miles from any intake of water for public consumption.

§ 7. If in the construction of any harbor, wharf, canal, dock, pier, slip, levee or other harbor facility or improvement mentioned in this Act, it becomes necessary to affect any of the rights of riparian owners along any public waters, or to take any property belonging thereto, such city shall have the right to acquire same by condemnation, but nothing in this Act shall give any such city the right to give compensation to any alleged riparian owner who is not in fact the owner of said land, or who has unlawfully acquired title thereto by possession or by making or filling the same, and such city shall make a careful scrutiny of the title of each and every person so claiming compensation, to the end that no person shall receive compensation for lands or rights which already belong to the State of Illinois.

§ 8. In the construction, maintenance or operation of any of the public utilities mentioned in this Act, such city shall, in all respects be subject to the laws of the State of Illinois applying or relating to any such utilities with like force and effect as a person, firm or private corporation constructing, maintaining or operating a similar utility, except in so far as is herein expressly otherwise provided.

§ 9. All Acts or parts of Acts in conflict with this Act are hereby repealed.

APPROVED June 10, 1911.



## PUBLIC WORK—MANUAL LABOR.

§ 1. Amends section 50, article 9, Act of 1872.

§ 50. As amended, provides for manual labor to be paid by city and material of \$500 or over to be purchased by contract.

(SENATE BILL NO. 217. APPROVED MAY 26, 1911.)

AN ACT to amend section fifty (50) of article IX of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended by subsequent Acts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section fifty (50) of article IX of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended by subsequent Acts, be, and the same is hereby amended so as to read as follows:

§ 50. Any work or other public improvement, except any work or public improvement to be paid for in whole or in part by a special assessment shall, when the expense thereof shall exceed \$500, either be constructed by contract let to the lowest responsible bidder in the manner prescribed by ordinance: *Provided, however,* any such contract may be entered into by the proper officers without advertising for bids, by a vote of two-thirds of all the aldermen or trustees elected; or such work or other public improvement shall be constructed in the following manner, by a vote of two-thirds of all the aldermen or trustees elected, to-wit:

The commissioner of public works or other proper officers to be designated by ordinance, shall superintend and cause to be carried out the construction of such work or other public improvement and shall employ for the performance of all manual labor thereon, exclusively laborers and artisans whom the city or village shall pay by the day or hour, and all material of the value of \$500 and upward using in the construction of such work or other public improvement, shall be purchased by contract let to the lowest responsible bidder in the manner to be prescribed by ordinance.

In every city which has adopted an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, every such laborer and artisan shall be certified by the civil service commission to the commissioner of public works or other proper officer, in accordance with the requirements of said Act entitled, "An Act to regulate the civil service of cities."

APPROVED May 26, 1911.



## STREET AND BRIDGE TAX IN CERTAIN MUNICIPALITIES.

§ 1. Authorizes additional tax for street and bridge purposes—proviso—not included in limitation of three per cent.

(HOUSE BILL NO. 531. APPROVED MAY 29, 1911.)

AN ACT to authorize cities and villages, which include wholly within their corporate limits, a town or towns, to levy for street purposes a tax in addition to the tax of one and two-tenths ( $1\frac{2}{10}$ ) per centum upon the aggregate valuation of all property within such city, village or incorporated town, as now prescribed by law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the city council of each city and board of trustees of each village or incorporated town, whether organized under the general law or special charter, which include wholly within their corporate limits a town or towns, shall have power and may annually levy a tax for street and bridge purposes of not to exceed thirty-six (.36) cents on each one hundred dollars on all the taxable property in any township, lying wholly within the limits of such city, village or incorporated town: *Provided*, that if in the opinion of three-fourths of the members elected to the city council or board of trustees of such city, village or incorporated town, a greater levy for bridge and street purposes is needed in view of some contingency, an additional levy may be made of any sum not exceeding twenty-five (25c) cents on the one hundred dollars of such taxable property. Said street and bridge tax authorized by this Act shall be in addition to any tax any such city, village or incorporated town is now authorized to levy for street or bridge purposes and shall be in addition to the tax of one and two-tenths ( $1\frac{2}{10}$ ) per cent per annum that such city, village or incorporated town is now authorized to levy upon the aggregate valuation of all property within such city, village or incorporated town, and the county clerk, in reducing tax levies under the provisions of section two (2) of an Act entitled, "An Act to amend section two (2) of an Act entitled, 'An Act concerning the levy and extension of taxes,' approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905," approved June 14, 1909, in force July 1, 1909, shall consider said street and bridge tax, authorized by this Act as a road and bridge tax, and not to be included in the limitation of three (3) per cent of the assessed valuation upon which taxes are required to be extended.

APPROVED May 29, 1911.

## VILLAGES—VOLUNTARY DISSOLUTION.

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| § 1. Manner of dissolution—petition—<br>notices—election.<br>§ 2. Form of ballot.<br>§ 3. Result of election—no submission<br>of proposition for two years. | § 4. Closing up affairs.<br>§ 5. Notices of dissolution.<br>§ 6. Statement of debts and obligations<br>—dissolution. |
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(HOUSE BILL NO. 588. APPROVED JUNE 7, 1911.)

AN ACT to provide for the voluntary dissolution of villages, and to provide for the means of closing up the affairs of said village.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any village in this State, incorporated, either under any general law for the incorporation of villages, and acts amendatory thereof, or under any special Act for the incorporation of such, may be dissolved in the manner following: Whenever a majority of the legal voters in such village, based upon the total votes at the last preceding village election, shall petition the corporate authorities of such village, to submit the question whether such village shall become voluntarily dissolved as such village, it shall be the duty of such corporate authorities to submit such question to the legal voters of such village; and it shall be the duty of such village authorities to fix the time and place of holding such election, and to give notice of such time and place of holding such election, and to appoint the judges to hold such election: *Provided*, that notice of the time and place of holding such election shall be given, stating the question to be submitted, by posting at least five (5) of such notices in five (5) public places in such village, for not less than fifteen (15) days before the date of such election.

§ 2. The ballot to be voted at such election shall read substantially as follows:

"Shall the village organization of the village of.....  be dissolved?"	Yes.	
	No.	

and the legal voters shall mark their ballots with a cross (X) opposite the words "yes" or "no," and such votes shall be counted and canvassed in accordance with such markings.

§ 3. If a majority of the ballots cast at such election shall be marked "yes," then the village officers shall proceed to close up the business affairs of such village in compliance with the provisions of this Act; and should the majority of the ballots cast at such election be marked "no," then the said proposition shall be declared defeated, and the officers of said village shall proceed with the affairs of such village as though said election had never been called: *Provided, however*, that should said proposition be submitted to the voters of a village and be defeated, such proposition shall not be again submitted for a period of two years.

§ 4. In the event the canvass of the votes at said election shall show that the majority of the voters of said village voting at such election have voted for the voluntary dissolution of the said village, then there shall be no further elections held in the territory of which said village was composed, for the election of village officers; but the then acting officers shall proceed to close up the business affairs of such village, and do and perform all of the acts required of them prior to that time, in order to so close up the affairs of such village; and said village officers shall have power to make levy of taxes for the purpose of paying any outstanding debts or obligations of any such village, but shall have no power to do anything or act creating any new obligation on said village.

§ 5. It shall be the duty of the village clerk and the president of the board of trustees of said village, under their hands and official seals, to give to the Secretary of State of this State, within ten days of such election, notice of the result of such election if the election should result in the dissolution of such village, and to file in the office of the county clerk of the county in which such village is situated, a statement showing the result of the election to dissolve such village organization, said notice to be filed within ten days of said election. Should the result of the election be against such dissolution, then no such notices shall be required.

§ 6. When the acting village officers of the said villages where the election has resulted in a vote favoring dissolution, have paid all of the debts and obligations of the said village, and shall have closed up all of the business pertaining to said village organization, then the said village clerk, and the president of the board of village trustees shall file with the county clerk of the county in which said village is located, a statement, verified by their affidavits, showing that all of the debts and charges against said village, and all obligations of said village have been fully paid and discharged. And when the said statement shall have been so filed, then the said village organization shall be dissolved, and all officers of such village, whether the term or terms for which they have been elected shall have expired or not, shall cease to have any power or authority, and the territory of which said village had been composed shall not be regarded as being in any incorporated village.

APPROVED June 7, 1911.

## WARDS AND ALDERMEN.

§ 1. Adds section 2a to article 3, Act of 1872.

§ 2. Emergency

§ 2a. Greater number of wards and aldermen than authorized — validation — redistricting — proviso.

(HOUSE BILL NO. 649. APPROVED MAY 22, 1911.)

AN ACT to amend an Act entitled, "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, by adding to article 3 a new section to be known as section 2a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, be amended by adding to article 3 thereof a new section to be known as section 2a, to read as follows:

§ 2a. Whenever it is shown by any national, State, school or city census, when the same is officially published, that any city organized under the provisions of this Act is divided into a greater number of wards and has elected a greater number of aldermen than are authorized by section 2 of this article of this Act, the said divisions into wards and the election of said aldermen shall, nevertheless, be valid and binding, and the said aldermen shall be deemed to legally hold their said offices for, during and until the next annual city election for city officers to be thereafter held in accordance with law; and all Acts of the city council of such city, and all ordinances by it passed, during the said period, if in other respects in compliance with law, are hereby declared legal and valid. In all cases when any such city is by such census found to contain more wards than it is entitled to by law, it shall be the duty of the city council of such city by ordinance to redistrict such city into as many wards only as the same is entitled to, not less than sixty days before the time fixed by law for the holding of the next succeeding general election for city officers, and at said election there shall be elected only such number of aldermen as, with the aldermen theretofore elected, and whose term of office shall not expire with such election, as that the number of aldermen of the said city shall not exceed the number of aldermen which the said city is by law entitled to. If, in such redistricting of such city into wards, the terms of two aldermen, who reside in any such new ward, shall not expire with such succeeding election, no election for aldermen shall be held in such ward, at such election, but such holdover aldermen shall, until the next succeeding general election for city officers to be held thereafter, be held and deemed in law to be and constitute the aldermen for such new ward. At such next succeeding election two aldermen shall be elected in such new ward, one for the term of one year and one for the term of two years: *Provided*, that in all cases, contemplated by this Act, if a census shall be taken pursuant to law and the



result of which shall have been published not less than sixty days prior to the time fixed by law for the holding of the general election for city officers thereafter in such city, it is made to appear that such city has regained a population sufficient to entitle it to the original number of wards and aldermen, then, and in such case, no new division into wards and reduction of the number of aldermen therein, shall be necessary.

§ 2. WHEREAS, By the national census taken in the year 1910, it is made to appear that certain cities in this State are divided into more wards, and have at the general election for city officers held in the year 1911, elected a greater number of aldermen than they are, by law, entitled to, whereby a question has arisen as to the validity of such election, therefore, an emergency exists, and this Act shall be in force from and after its passage.

APPROVED May 22, 1911.

#### WATER DISTRICTS IN COUNTIES BORDERING ON LAKE MICHIGAN.

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| § 1. Petition—limitation of territory—wards—hearing—election—ballots—result of election—organization—annexation. | § 10. Water rates — maintenance — general tax.            |
| § 2. Judicial notice—election of officers.   | § 11. Contracts, bids and proposals.                      |
| § 3. Trustees—term — classification — disqualifications.   | § 12. Tax levy—extension—collection—interest on deposits. |
| § 4. Board of trustees—powers—employees—compensation.  | § 13. Condemnation proceedings.                           |
| § 5. When ordinances take effect.  | § 14. Acquisition of public property.                     |
| § 6. Proof of ordinances, etc.   | § 15. Actions for damages.                                |
| § 7. Powers and duties of trustees.  | § 16. Inhabitant not incompetent judge, justice or juror. |
| § 8. Acquisition and disposition of property.  | § 17. Equipment—control—inspection—waste of water.        |
| § 9. Borrowing money—bond issues—limitation.   | § 18. Violations—penalty.                                 |
|  | § 19. Interpretation.                                     |
|  | § 20. Pipes, etc., along highways, etc.                   |

(HOUSE BILL NO. 539. APPROVED JUNE 5, 1911.)

AN ACT to provide for the organization of water districts to enable certain territory to procure pure water.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whenever a petition signed by at least five per cent of the voters resident in each city, town or village, of two or more incorporated cities, towns or villages, located in counties bordering on Lake Michigan, asking that said cities, towns or villages be organized as a water district under this Act, shall be filed in the office of the county clerk of the county in which the greater portion of the population affected thereby resides, it shall be the duty of the county judge of said county to consider the boundaries of any such proposed district, whether the same shall be described in such petition or otherwise. Such petition shall be addressed to said county judge and shall contain a definite description of the territory to be embraced in such district and the name of such proposed water district: *Provided, however,* that no territory shall

be included in any municipal corporation formed hereunder, which is not situated within the limits of a city, incorporated town or village; no territory shall be included within more than one district organized for the purpose for which districts may be organized under this Act, and no city, incorporated town or village having over fifteen thousand (15,000) inhabitants shall be included in such district as originally organized, but shall have the right to join said district as hereinafter provided.

The said petition may also provide that such proposed district shall be divided into five wards, with a definite description of the territory to be embraced in each of such wards: *Provided*, the population in no one of such wards shall exceed one-fourth of the population of the whole district: *And, provided*, that the territory in each of said wards shall be composed of territory in as compact form as practicable. It shall be the duty of the trustees at least every five years to re-apportion said district, so that the respective wards shall conform as nearly as practicable with the above requirements as to population, shape and territory. In the event that any new territory shall be annexed to said district, the said district including said annexed territory shall be re-divided by the trustees into wards before the next election of trustees.

Notice shall be given by such county judge of the time and place where a hearing will be had on said petition, by a publication inserted in one or more newspaper[s] published in such county, or if more than one county within each county, at least twenty days prior to such hearing. At such hearing the county judge shall preside and all persons residing in such proposed district or owning land situated therein shall have an opportunity to be heard touching the location and boundary of such proposed district and the location and boundary of such proposed wards and to make such suggestions regarding the same and the county judge after hearing statements, evidence and suggestions, shall determine whether the territory mentioned in said petition is so located that it can be joined advantageously to such territory and shall fix and determine the locations and boundaries of such proposed district, and the location and boundaries of such proposed wards, and for that purpose and to that extent, may alter and amend such petition, but shall not so amend it as to include it as to include any city having a population of 15,000 or more. After such determination the county judge shall submit to the legal voters of the proposed district the question of the organization and establishment of the proposed district, as determined by him, at the next general election for county and State officers, notice of the submission of which question shall be given by said judge at least twenty days prior thereto, by publication in one or more newspapers published in such proposed district, or if no newspaper is published in said district then in one or more newspapers published at the county seat of the county in which such proposed district lies, such notice to specify briefly the purpose of such election, with a description of such proposed district. Each legal voter resident within such proposed water district shall have the

right to cast a ballot at such election with the words thereon "For Water District" or "Against Water District." The ballots so cast shall be received, returned and canvassed in the same manner and by the same officers as is provided by law in the case of ballots cast for county officers. The county judge shall cause a statement of the result of such election to be spread upon the records of the county court. If a majority of the votes cast upon the question of the incorporation of the proposed sanitary district shall be in favor of the proposed district, such proposed district shall thenceforth be deemed an organized sanitary district under this Act, and shall be a body corporate and politic under the name proposed in said petition and by such name may sue and be sued, contract and be contracted with, acquire and hold real and personal property and exercise all the powers in this Act conferred.

Any city, town or village may become annexed to such water district in like manner, as near as may be, as is provided in and by an Act of the General Assembly of the State of Illinois, entitled, "An Act to provide for the annexation for township high schools of any school township or part of such township, not having an established township high school, to any adjacent school township having an established township high school," approved and in force April 22, 1897.

§ 2. All courts in this State shall take judicial notice of the existence of all water districts organized under this Act. Upon the organization of any water district under this Act the county judge shall call an election to elect officers and cause notice thereof to be posted or published and perform all other acts in reference to such election in like manner, as nearly as may be, as he is required to perform in reference to the election of officers in newly organized cities under the provisions of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872. The county judge shall fix not less than one place for holding said election in each organized city, village or town lying in such district.

§ 3. In each water district organized under this Act, there shall be elected at the first election five trustees, one from each ward, one of whom shall hold his office till the next general election for county officers, one until one year after said next general election, one till three years after said next general election and one till four years after said next general election, and until their successors are elected and qualified. At the first meeting of the trustees after such election the trustees elected shall be divided by lot into five classes, the first class shall be continued in office until the next general election for county officers, the second class until one year after said next general election, the third class until two years after said next general election, the fourth class until three years after said general election, the fifth class until four years after said general election. At every regular county election held after such first election there shall be elected one trustee who shall hold his office for five years and until his successor shall be elected and qualified to succeed him, whose term of office shall expire that year.



No trustee or employé of such district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or other property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said district.

§ 4. The trustees elected in pursuance of the foregoing provisions of this Act shall constitute a board of trustees for the district by which they are elected, which board of trustees is hereby declared to be the corporate authorities of such district, and shall exercise all the powers and manage and control all the affairs and property of such district. Said board of trustees shall have the right to elect a president, secretary, treasurer, chief engineer, attorney, and to provide by ordinance for the employment of such other clerks, and other employés as said board may deem necessary for such municipality, who shall hold their respective offices during the pleasure of the board, and shall give bond when and in such form as may be required by said board. Said board may prescribe the duties and fix the compensation of all the officers and employés of said sanitary district: *Provided, however,* that the salary of the president of said board shall in no case exceed the sum of fifteen hundred dollars (\$1,500.00) per annum and the salary of the other members of said board shall not exceed five hundred dollars (\$500.00) per annum: *And, provided, further,* that the amount received by any attorney shall not exceed the sum of three thousand dollars (\$3,000.00) per annum. Said board of trustees shall have full power to pass all necessary ordinances, orders, rules, resolutions and regulations for the proper management and conduct of the business of said board of trustees and of said corporation and for carrying into effect the objects for which such water district is formed.

§ 5. All ordinances making any appropriations shall, within one month after they are passed, be published at least once in a newspaper published in such district, or if no such newspaper of general circulation is published therein, by posting copies of the same in three public places in the district; and no such ordinance shall take effect until ten days after it is so published, and all other ordinances, orders and resolutions shall take effect from and after their passage unless otherwise provided therein.

§ 6. All ordinances, orders and resolutions, and the date of publication thereof, may be proven by the certificate of the clerk, under the seal of the corporation, and when printed in book or pamphlet form, and purporting to be published by the board of trustees such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, orders and resolution[s], as of the dates mentioned in such book, or pamphlet, in all courts and places without further proof.

§ 7. The board of trustees of any water district organized under this Act shall have power to provide a sufficient supply of pure water for



such district and to provide therefor, may lay out, establish, construct, maintain and operate machinery, buildings, filters, wells, intakes, cribs, conduits, aqueducts, pipes, ditches, tanks, reservoirs, hydrants, meters, and other elements of a complete water works system necessary or appropriate for such purpose. Such machinery, buildings, filters, intakes, wells, cribs, aqueducts, conduits, ditches, and reservoirs may extend or be located outside of the territory included within such sanitary district and the rights and powers of said board of trustees over the portion of such machinery, buildings, filters, intakes, wells, cribs, aqueducts, conduits, pipes, ditches and reservoirs lying outside of such district will be the same, as those vested in said board over that portion of such machinery, buildings, filters, intakes, wells, cribs, aqueducts, conduits, pipes and ditches within the said district.

Said trustees in carrying out the powers and duties hereinbefore conferred upon them may construct and maintain buildings, machinery, conduits and aqueducts; may lay and maintain pipes, drains and wires; may carry and conduct any aqueduct, conduit, pipe or wire under or over any water course or any railroad, street or other way in such a manner as not unnecessarily to obstruct or impede travel thereon; may dig out any such road, street or way, and lay, maintain and repair aqueducts, conduits, pipes, wires and other works beneath the surface thereof conforming to any reasonable regulations made by the city councils of cities and boards of trustees of towns or villages respectively wherein such works are performed, and restore, so far as practicable, any such road, street or way to as good order and condition as the same was in when such digging was commenced; and in general may do any other act or thing necessary or proper for carrying out the powers and duties conferred upon them by this Act: *Provided*, said board shall save harmless the several cities, villages and towns within which any road, street or way is dug up by them against all damages for injuries resulting from a defect or want of repair in any road, street or way, caused by such digging up or by constructing, laying, maintaining, or repairing any aqueduct, conduit, pipe, wire, or other works therein.

Said trustees shall secure and protect the purity of said water supply; shall on application furnish water to any city, town or village in said district that at the time of application owns its water pipe system; shall on application furnish water to any water company owning the water pipe system in any city, town or village in said district at the same rates and on the same conditions as nearly as may be as water is furnished to cities, towns and villages; and may from time to time furnish water to any city, village, town, water company, corporation or individual on payment of such rates as said trustees may determine. Said trustees shall furnish said water to the city, town, village, company, corporation or individual, by delivering the same into a main water pipe, reservoir or tank of the city, town, village, company, corporation, or individual under sufficient pressure for use without local pumping, unless delivered in some other manner by mutual agreement between the par-

ties interested; and shall have the direction and control of the connections between the district and local systems. The pressure hereinbefore provided for need not exceed a pressure at the point of delivery sufficient to maintain water in a stand pipe at a height of one hundred feet. But the trustees may enter into an agreement to furnish direct extra pressure into the mains of the purchaser in case of fire.

§ 8. Such water district may acquire by purchase, condemnation, or otherwise any and all real and personal property, right of way and privilege, either within or without its corporate limits that may be required for its corporate purpose[s]: *Provided*, all moneys for the purchase and condemnation of any property shall be paid before possession is taken, or any work done on the premises damaged by the construction of such intakes, pipes and ditches, and in case of an appeal from the court in which such condemnation proceeding shall be pending taken by either party, whereby the amount of damage is not finally determined, the amount of the judgment in such court shall be deposited with the county treasurer of the county in which said judgment shall be rendered subject to the payment of such damages on orders signed by such judge, whenever the amount of damages is finally determined; and when not longer required for such purposes, to sell, convey, vacate and release the same.

§ 9. The corporation may borrow money for corporate purposes, and may issue bonds therefor, but shall not become indebted in any manner, or for any purpose, to an amount in the aggregate to exceed five (5) per centum of the valuation of taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness. The bonds herein provided for shall not run for a longer period than twenty years.

§ 10. Said trustees shall have power to fix rates to be charged by them for water furnished to the cities, villages, towns in said district and said rates shall be as nearly the same to each city, town or village as conditions will warrant. Out of the money received on account of water delivered by said trustees they shall pay so far as they can all operating expenses, cost of maintenance, interest on bonds, provide such sinking fund for replacement and renewals as they shall deem best, and redeem bonds which shall mature. If there is not sufficient money from such rates so collected for the purposes in this section set forth, the balance shall be provided for by a general tax on property taxable in said district.

§ 11. All contracts for work to be done by any district organized under this Act, the expense of which will exceed five hundred dollars, shall be let to the lowest responsible bidder therefor, upon not less than sixty days public notice of the terms and conditions upon which the contract is to be let having been given by publication in a newspaper of general circulation published in the county in which said district is located. Such notice shall further state where the specifications for such improvements are to be found. Proposals or bids may be made either for such work as a whole or for such specified sections thereof. All pro-

posals or bids offered shall be accompanied by cash or by a check, payable to the order of the president of the board of trustees in his official capacity, certified by a responsible bank, for an amount which shall not be less than ten (10) per centum of the aggregate of the proposal. Said proposals or bids shall be delivered to the board of local improvements, and said board shall in open session, at a time and place fixed in said notice, examine and publicly declare the same: *Provided, however,* that no proposals nor bids shall be considered unless accompanied by such check or cash. The board of trustees shall have power and authority to reject any and all bids, and to re-advertise. If a bid or proposal shall be accepted the check accompanying such accepted proposal or bid shall be retained in possession of the president of said board until the contract for doing said work has been entered into, whereupon said certified check shall be returned to said bidder. But if the bidder whose bid shall have been accepted fails, neglects or refuses to enter into a contract, within a reasonable length of time, to perform said work as herein provided, then said cash accompanying his bid or said certified check and the amount therein mentioned shall be declared to be forfeited to said district and shall be collected by it and paid into its general funds. All cash or certified checks accompanying all rejected bids shall be returned to the proper parties. The board of trustees shall have power to require a bond from any person entering into a contract to do said work conditioned for the full performance of such contract and may require from such contractor as part of his contract a suitable guarantee of the work to be done by him under his contract. Any bonds forfeited may be prosecuted, and the amount due thereon collected and paid into the funds of said district.

§ 12. The board of trustees may levy and collect taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which in any one year shall not exceed half of one per centum of the value of the taxable property within the corporate limits as the same shall be assessed and equalized for the county taxes for the year in which the levy is made. Said board shall cause the amount to be raised by taxation in each year to be certified to the county clerk on or before the second Tuesday in August as provided in section one hundred and twenty-two of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district, in the manner and at the time provided by the general revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depository, require such bank or other depository to pay the same rates of interest for such moneys deposited as such bank or other depository is accustomed to pay to depositors under like circumstances, in the usual course of its business. All interest so paid shall be placed in the general funds of the district, to be used as other moneys belonging to such district raised by general taxation or sale of water.



§ 13. Whenever the board of trustees of any water district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and condemn and acquire possession thereof in the same manner as nearly as may be as is provided in an Act entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872: *Provided, however,* that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases be instituted in the county where the property sought to be taken or damaged is situated: *And, provided,* that all damages to property, whether determined by agreement or by final judgment of court, shall be paid prior to the payment of any other debt or obligations.

§ 14. When it shall be necessary in making any improvements which any district is authorized by this Act to make, to enter upon any public property or property held for public use, such district shall have the power so to do and may acquire the necessary right of way over such property held for public use in the same manner as is above provided for acquiring private property, and may enter upon, use, widen, deepen and improve any waters, waterways, or lake.

§ 15. Every water district shall be liable for all damages to real estate within or without such district which shall be overflowed or otherwise damaged by reason of the construction or use of any building, machinery, filter, well, intake, crib, conduit, aqueduct, pipe, ditch, tank or reservoir, or the enlargement or use of any waters, waterways or lake or by reason of any other improvement under the provisions of this Act; and actions to recover such damages may be brought in the county where such real estate is situated, or in the county where such sanitary district is located, at the option of the party claiming to be injured. And in case judgment is rendered against such district for damage, the plaintiff shall also recover his reasonable attorneys' fees to be taxed as costs of suit: *Provided, however,* it shall appear on the hearing of plaintiff's motion to tax such attorneys' fees, that the plaintiff notified the trustees of such district in writing, at least sixty days before suit was commenced by leaving a copy of such notice with some one of the trustees of such district, stating that he claims damages to the amount of .....dollars by reason of (here insert the cause of damage) and intends to sue for the same: *And, provided, further,* that the amount recovered shall be larger than the amount offered by said trustees (if anything) as a compromise for damages sustained.

§ 16. No person shall be an incompetent judge, justice or juror by reason of his being an inhabitant or freeholder in any sanitary district formed under the provisions hereof in any action in which such sanitary district may be a party in interest.

§ 17. Said trustees shall have the exclusive right and control over all reservoirs, tanks and other property or equipment used by them in supplying water, and may order all persons to keep from entering in,



upon, or over, the waters thereof; may inspect the water works and fixtures in any city, village or town supplied wholly or in part by said trustee and may take all proper measures to determine the amount of water used and wasted and to prevent the improper use or waste of water.

§ 18. No person shall take or divert any water from any well, reservoir, conduit, pipe, tank or aqueduct, used by said district for supplying such water to any municipal corporation, company or person to which water is delivered by said district, or occupy, injure or interfere with any such water, or any land, building, aqueduct, pipe, drain, conduit, hydrant, machinery, filter, reservoir, tank or other work or property so used, and no person shall corrupt, render impure, waste or improperly use, any such water: *Provided, however,* the provisions of this section shall not apply to any person acting with the permission and consent of the trustees of such district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and be punished by a fine of not less than ten dollars nor more than five hundred dollars or imprisoned in the county jail not exceeding one year, or both, at the discretion of the court having cognizance thereof.

§ 19. Nothing in this Act contained shall be so construed as to constitute a contract or grant between the State of Illinois and any water district formed under its provisions, or to prevent, debar or deprive the State of Illinois, from, at any time in the future altering, amending or repealing this Act or imposing any conditions, restrictions or requirements other, different or additional to any herein contained upon any water district which may be formed hereunder.

§ 20. Every such district is authorized to construct, maintain, alter and extend its pipes, wires, ditches and conduits as a proper use of highways along, upon, under and across any highway, street, alley or public ground in this State, but so as not to incommode the public use thereof.

APPROVED June 5, 1911.

## CIVIL SERVICE.

## CIVIL SERVICE IN COUNTIES OF 150,000 OR MORE.

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| § 1. Application of Act.                              | § 19. Expenses.   |
| § 2. Commissioners appointed—oath—vacancies—removals. | § 20. Frauds prohibited.  |
| § 3. Classification.                                  | § 21. No officer to receive or solicit political contributions.               |
| § 3a. Standardization.                                | § 22. No person to solicit political contributions from officers or employés. |
| § 3b. Persons in county service when Act applies.     | § 23. Assessments and contributions in public offices forbidden.              |
| § 4. Rules.   | § 24. Payments of political assessments to public officers prohibited.        |
| § 5. Publication of rules.                            | § 25. Abuse of political influence prohibited.                                |
| § 6. Examinations.                                    | § 26. Payment for place prohibited.   |
| § 7. Notice of examinations.                          | § 27. Recommendation in consideration of political service prohibited.        |
| § 8. Registers.                                       | § 28. Appointments and removal to be certified to the comptroller.            |
| § 9. Promotion.                                       | § 29. Payment only after certification.                                       |
| § 10. Appointments.                                   | § 30. Compelling testimony of witnesses—production of books and papers.       |
| § 10a. Transfers.                                     | § 31. Penalties.  |
| § 11. Exemptions from the classified service.         | § 32. Penalties—removal from office.  |
| § 12. Removals.                                       | § 33. What officers to prosecute.   |
| § 13. Reports to commission.                          | § 34. Preferment for appointment.   |
| § 14. Efficiency—investigations.                      | § 35. Repeal.   |
| § 15. Report of commission.                           |   |
| § 16. Officers.                                       |   |
| § 17. Officers to aid—rooms.                          |   |
| § 18. Salaries.                                       |   |

(HOUSE BILL NO. 96. APPROVED JUNE 10, 1911.)

## AN ACT to regulate the civil service of counties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all counties of this State containing one hundred and fifty thousand or more inhabitants, all the offices and places of employment in the service of such counties, and all offices and places of employment the salaries or wages for which are paid in whole or in part out of funds appropriated by the county board of such county, except those exempted in section 11 of this Act, shall be classified and filled in the manner hereinafter provided for and not otherwise. Whenever any county not now containing one hundred and fifty thousand or more inhabitants shall have attained such number of inhabitants, as shown by any census hereafter taken by the United States, thereupon this Act shall become applicable to such county on the first day of July next succeeding the completion of the taking of such census by the United States.

§ 2. COMMISSIONERS APPOINTED—OATH—VACANCIES—REMOVALS.] In all counties of this State to which this Act is or shall become applicable, there is hereby created and established a county civil service commission, hereinafter called the commission, to consist of three persons to be selected and appointed in the manner following:

The president of the county board shall, with the consent of a majority of the members of the county board, at a regular meeting within six months after July 1, A. D. 1911, appoint three persons, not more than two of whom shall at any time belong to or be affiliated with the same political party, who shall constitute and be known as the County Civil Service Commission of said county: one for a term of one year from the date of his appointment, one for a term of two years and one for a term of three years from date of appointment and until their respective successors are appointed and qualified, and at the expiration of the respective terms above named or soon thereafter the president shall in like manner appoint one person as the successor of the commissioner whose term shall then expire, to serve as a commissioner for three years and until his successor is in like manner appointed and qualified: *Provided, however,* that the commissioners of any existing county civil service commission in any county to which this Act applies, shall continue to hold their respective offices until the expiration of their several terms, unless removed in accordance with the provisions of this Act. Each county civil service commissioner, before entering upon the duties of his office, shall take the oath prescribed by the Constitution. Two members of the commission shall constitute a quorum. No member of the commission shall hold any other lucrative office or employment under the United States, the State of Illinois, or any municipal corporation or political division thereof. No county civil service commissioner, now in office or hereafter appointed, shall be removed except for palpable incompetence or malfeasance in office upon written charges and after an opportunity to be heard in his own defense. Such charges shall be filed with the county judge of the county in and for which the civil service commissioner was appointed. Said charges shall be heard and determined by a trial board consisting of: (1) the person holding the office of county judge in and for the county aforesaid; (2) the person holding the office of circuit judge in the judicial circuit containing or embracing the said county, or the person holding the office of chief justice of said circuit court, if there be more than one circuit judge; and (3) a third person to be selected by the two members of said trial board aforesaid, which third person shall be a person holding the office of circuit judge in the circuit containing or embracing said county aforesaid or in a circuit contiguous thereto. The findings and decision of said trial board shall be final and certified by said board to the president of the county board, and if such charges are sustained the civil service commissioner so charged shall be forthwith removed from office by the president of said county board, who shall thereupon proceed to fill pursuant to law the vacancy created by such removal. In any proceeding provided for in this section said trial board, and the members thereof, shall have power to administer oaths and to compel, by subpoena, the attendance and testimony of witnesses and the production of books and papers.

§ 3. CLASSIFICATION.] The commission shall within six months after this Act goes into effect classify all offices and places of employ-

ment which this Act provides shall be classified. Such classification shall be made with reference to the duties of such offices and places for the purpose of establishing grades and of fixing and maintaining standards of examinations hereinafter provided for. The offices and places so classified by the commission shall constitute the classified civil service of such county and no appointments to any of such offices or places shall be made except under and according to the provisions of this Act and of the rules hereinafter mentioned. As a part of such classified civil service all officers and employes of the commission, except special examiners, shall be included: *Provided, however*, that all attending physicians and surgeons, who serve without compensation, in any public institution in such county, devoted to the care and treatment of the sick, poor and insane, and who are hereby made a part of the classified civil service of such county, shall be appointed for such term as the commission shall by rule prescribe, and that the physicians and surgeons usually designated as internes, who are also hereby made a part of the classified civil service of such county, shall be appointed for such term as the commission shall by rule prescribe: *And, provided, further*, that there may also, at the discretion of such county board, be a consulting staff of physicians and surgeons, which staff shall be appointed by the county board, and that such county board in its discretion may contract with any training school of recognized standing for the nursing of any or all of the sick, poor and insane of such county.

§ 3a. STANDARDIZATION.] The commission shall ascertain the duties of each office and place in the classified civil service and designate by rule the grade of each position. Each grade shall comprise offices and places having substantially similar duties. The commission shall by rule indicate the lines of promotion from each lower grade to a higher grade wherever the experience derived in the performance of the duties of such lower grade tends to qualify for performance of duty in such higher grade. The commission shall by rule prescribe standards of efficiency for each grade and for examinations of candidates for appointment thereto.

For the purpose of establishing uniformity of pay and title for all offices and places of employment classified in the same grade, it shall be the duty of the commission to prescribe by rule the maximum and minimum pay for each grade and the title thereof and to report to the county board, annually, and at such other times as it may direct, the name and address of each officer and employé paid more or less than the pay prescribed for his grade or designated by a title other than that prescribed for his grade by the commission.

The commission shall standardize employment in each grade and make and keep a record of the relative efficiency of each officer and employé in the classified civil service. It shall provide by rule, methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made, which shall be uniform for each grade in the classified service.



§ 3b. PERSONS IN COUNTY SERVICE WHEN ACT APPLIES.] In any county which is now, or which hereafter may become, subject to the provisions of this Act, all persons who at the time when this Act takes effect or becomes applicable, hold offices or places of employment which this Act provides shall be classified, shall be included under the provisions of this Act and shall become members of the classified civil service of such county, without original examination.

§ 4. RULES.] The said commission shall make rules to carry out the purposes of this Act, and for examinations, appointments, transfers and removals and for maintaining and keeping records of the efficiency of officers and employes, and groups of officers and employes, in accordance with the provisions of this Act, and said commission may from time to time make changes in such rules.

§ 5. PUBLICATION OF RULES.] All rules made as herein provided and all changes therein shall forthwith be printed for distribution by the commission, and it shall give notice of the places where said rules may be obtained, by publication in one or more daily newspapers published in such county, and in each such publication shall specify the date not less than ten days subsequent to the date of such publication, when said rules shall go into operation.

§ 6. EXAMINATIONS.] All applicants for offices or places in said classified civil service, except those mentioned in section 11 hereof, shall be subjected to examination, which shall be public, competitive and free to all persons who may be lawfully appointed thereto with limitations specified in the rules of the commission as to residence, age, sex, health, habits, moral character and qualifications to perform the duties of the office or place to be filled, which qualifications shall be prescribed in advance of such examination. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed, and may include tests of physical qualifications and health and when appropriate, of manual skill. No question in any examination shall relate to political or religious opinions or affiliations. The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the county to be examiners; and it shall be the duty of such examiners, and if in the official service it shall, without extra compensation, be a part of their official duty to conduct such examination as the commission may direct and to make return and report thereof to said commission; and the commission may at any time substitute any other person, whether or not in such service, in place of any one so selected; and the commission may themselves at any time, act as such examiners, and without appointing examiners. Said commission shall, by rule, provide for and hold a sufficient number of examinations to provide a sufficient number of eligibles on the register for each grade of position in the classified civil service, and if any place in the classified civil service

becomes vacant, to which there is no person eligible for appointment, the commission shall immediately hold an examination for such position and repeat the same, if necessary, until a vacancy is filled in accordance with the provisions of this Act.

Said commission may, in its discretion, cancel such portion of any such register as has been in force for more than two years but not while any vacancy exists for the filling of which a requisition has been made upon the commission, and which can be filled from said register. Examinations for an eligible list for each position in the classified service above mentioned shall be held at least once in two years. Said commission shall permanently preserve all written and printed questions and the answers thereto of any and all competitive examinations on technical subjects which shall be in writing and the record thereof open at all times to inspection.

§ 7. NOTICE OF EXAMINATIONS.] Notice of the time and place and general scope of every examination and of the duties, pay and nature of the position sought to be filled shall be given by the commission by publication, for two weeks preceding such examination, in a daily newspaper of general circulation published in the county, and such notice shall be posted by the commission in a conspicuous place in its office for two weeks before such examination. Such further notice of examinations may be given as the commission shall prescribe.

§ 8. REGISTERS.] From the return or reports of examiners, or from the examinations made by the commission, the commission shall prepare a register for each grade or class of position in the classified service of the county of the persons who shall attain such minimum mark as may be fixed by the commission for any part of such examination and whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of said commission, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination.

§ 9. PROMOTION.] The commission shall note of record the duties (whether imposed by law, official regulation or practice) of each office or place in the classified service. It shall thereupon by rule fix lines for promotion from such several offices and places to superior offices or places in all cases where, in the judgment of the commission, the duties of such several positions directly tend to fit the incumbent for a superior position. In case of vacancy in superior offices or places, which cannot be filled by reinstatement, the commission shall hold promotion examinations to fill such vacancy. Incumbents of offices or places next lower in the line so fixed shall be solely eligible for such examination, unless in the judgment of the commission, to be noted in its minutes with the grounds therefor, it is for the best interests of the service that original examination for such vacancy be held. In promotion examinations, efficiency and seniority in service shall form a part of such examination,

but combined shall not carry a total number of marks to exceed one-quarter of the maximum marks attainable in such examination. All examinations for promotion shall be competitive. The method of examination, the rules governing the same, and the method of certifying shall be the same as provided for in original examination.

§ 10. APPOINTMENTS.] Whenever a position classified under this Act is to be filled, the appointing officer shall make requisition upon said commission and the commission shall certify to him the name and address of the candidate standing highest upon the register of eligibles for said position. The appointing officer shall notify the commission of each position to be filled separately and shall fill such position by the appointment of the person certified to him by said commission therefor, which appointment shall be on probation for a period of not more than three months to be fixed by said rules. At any time during the period of probation, the appointing officer may discharge a person so certified and shall forthwith notify the commission in writing of such discharge. If such person is not thus discharged, his appointment shall be deemed complete.

When there is no eligible list, the appointing officer may, with the authority of the commission, make temporary appointments to remain in force only until regular appointments under the provisions of this Act can be made and examinations to supply an eligible list therefor shall be held, and an eligible list established therefrom, within sixty days from the making of such appointments.

In employment of an essentially temporary and transitory nature, the appointing officer may, with the authority of the commission, make temporary appointments to fill a vacancy, but no such authority shall be granted for a period of more than thirty days, but it may be renewed from time to time by the commission. The commission shall include in its annual report, and if thereto required by the county board, in any special report, a statement of all temporary authorities granted or renewed during the year or period specified by the county board, together with a statement of the facts in each case because of which such authority was granted.

The acceptance or refusal by an eligible person of a temporary appointment shall not affect his standing on the register for permanent appointment. In case of emergency, the sheriff or the coroner, when performing the duties of sheriff, may appoint such number of deputies as the public welfare demands for the preservation of peace, the protection of property and the enforcement of the law, which appointments may be made without the authority of the commission and only for such period of time as the emergency requires, and in such cases the Civil Service Commission shall certify such emergency appointments.

§ 10a. TRANSFERS.] The commission may by its rules provide for transfers of officers and employes in the classified service from positions in one office or department to positions of the same class and grade in another office or department. Transfers which are in the nature of pro-



motions shall be governed by section 9 of this Act, and transfers which are in the nature of demotions shall be governed by section 12 of this Act.

§ 11. EXEMPTIONS FROM THE CLASSIFIED SERVICE.] The following offices and places of employment, in so far as there are or may be such in such counties, shall not be included within the classified civil service, namely:

All elective officers; all officers whose appointment is provided for by the Constitution; judges and officers appointed by judges of any court; the county attorney and assistant county attorneys; the superintendent of public service; judges and clerks of elections; jailer, one assistant sheriff, a chief deputy and a confidential clerk, or private secretary, and all attorneys employed by for each elective official, all assistant State's attorneys in the State's attorney's office and the attorney for the Civil Service Commission, the warden of the county hospital, the superintendent of the insane asylum, the superintendent of the poor house, the county agent, the county physician, the auditor for the county board, the coroner's chief physician, the county architect, and the committee clerk of the county board: *Provided, however*, that officers and employés of any election commission in such county shall be included in said classified civil service: *Provided, however*, that any person or persons now holding any office or position, which office or position is now in the classified civil service shall not be affected by the exemptions herein provided for but shall remain and be included in the classified civil service.

§ 12. REMOVALS.] No officer or employé in the classified civil service of the county shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Such charges shall, within thirty days from the date of suspension under such charges, be investigated by or before the commission, or by or before some officer or board appointed by the commission to conduct such investigation. The hearing shall be public and the accused shall be entitled to call witnesses in his defense and to have the aid of counsel. The hearing may be postponed or continued with the consent of the accused. The finding and decision of the commission or of such investigating officer or board, when approved by said commission, shall be final and shall be certified to the appointing officer, and shall be forthwith enforced by such officer. Nothing in this Act shall limit the powers of any officer to suspend a subordinate for a reasonable period, not exceeding thirty days. Every such suspension shall be without pay: *Provided, however*, that the commission shall have authority to investigate every such suspension, and, in case of its disapproval thereof, it shall have power to restore pay to the employé so suspended. In the course of an investigation provided for in this Act, each member of the commission, and of any board so appointed by it, and any officer so appointed, shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers. Nothing in this section shall be construed to



require such charges in case of laborers or in case of persons having the custody of public money for the safe keeping of which another person has given bonds.

§ 13. REPORTS TO COMMISSION.] Immediate notice in writing shall be given by the appointing power to said commission of all appointments, permanent or temporary, made in such classified civil service and of all transfers, promotions, resignations or vacancies from any cause in such service and of the date thereof, and a record of the same shall be kept by said commission. When any office or place of employment is created or abolished, or the compensation attached thereto altered, the officer or board making such change shall immediately report it in writing to said commission. If, when created, such office or place is not embraced in the then existing classification, the commission shall within thirty days of the receipt of said report, classify the same and standardize the duties thereof. But no place of employment shall be deemed a newly created position, the duties of which come within the scope of standardization already fixed by the commission.

§ 14. EFFICIENCY—INVESTIGATIONS.] The commission shall investigate the efficiency of all officers and employés and of all groups of officers and employés in the classified service and shall report to each officer, board or other authority in charge of any institution, office or department of the county government its findings and recommendations relative to increasing efficiency and economy therein. In case the recommendations made by the commission are not carried into effect within a reasonable time, or in case of a difference of opinion with reference to such findings or recommendations between the commission and the officer, board or authority in charge of an institution, office or department concerned in any such finding or recommendation, the report accompanied by a note of the relevant facts shall be transmitted to the county board by the commission. The commission shall investigate the enforcement of this Act and of the rules of the commission, the conduct of the appointees in the classified service and the methods of administration therein, and may investigate the nature, tenure and compensation of all offices and places in the civil service of the county. In the course of such investigation each commissioner shall have power to administer oaths, and said commission shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers.

§ 15. REPORT OF COMMISSION.] Said commission shall, on or before the 15th day of January of each year, make to the county board a report showing its own action, the rules in force, the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this Act. The county board may require a report from said commission at any time.

§ 16. OFFICERS.] The commission shall select one of its own members to act as president and one as secretary of the commission. The secretary shall keep the minutes of the commission, preserve all records and perform such other duties as the commission may direct.

§ 17. OFFICERS TO AID—ROOMS.] All officers of the county shall aid the commission in all proper ways in carrying out the provisions of this Act and at any place where examinations are to be held shall allow reasonable use of public buildings for holding such examinations. The county board shall cause suitable rooms to be provided for the commission at the expense of the county.

§ 18. SALARIES.] Each of said commissioners shall receive a salary of not less than three thousand dollars a year, and the president of the commission shall receive not less than five thousand dollars a year.

§ 19. EXPENSES.] A sufficient sum of money shall be appropriated each year by the county board to carry out the provisions of this Act; and the county board shall allow to said commission such clerical help and such sums to operate and maintain said office as shall be necessary, and the compensation of such clerical help and such sums allowed shall be paid by the county as other county charges. If the board shall have already made the annual appropriation for county purposes for the current fiscal year, the board is authorized and required to pay the salaries and expenses of the commission for such fiscal year out of the moneys appropriated for contingent purposes by said board.

Any person not at the time in the official service of the county, serving as a member of the board of examiners or of an investigating board, shall receive compensation for every day actually and necessarily spent in the discharge of his duty as an examiner or a member of the investigating board, at the rate of five dollars per day, and the commission may, in such county, also incur necessary expenses for clerk hire, printing, stationery and other incidental matters.

§ 20. FRAUDS PROHIBITED.] No person or officer shall wilfully or corruptly, by himself, or in coöperation with one or more persons, defeat, deceive or obstruct any person in respect to his or her right of examination hereunder; or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder or aid in so doing; or wilfully or corruptly make any false representation concerning the same or concerning the person examined; or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any persons so examined, or to be examined, being appointed, employed or promoted. And no applicant for any examination shall wilfully or corruptly by himself, or in coöperation with one or more persons, deceive the said commission with reference to his identity, or wilfully or corruptly make any false representations in his application for any examination, or commit any fraud for the purpose of improving his prospects or chances in such examination.

§ 21. NO OFFICER TO RECEIVE OR SOLICIT POLITICAL CONTRIBUTIONS.] No officer or employé shall solicit, orally, or by letter, or receive, or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution from any member of the classified civil service for any party or political purpose whatever.

§ 22. NO PERSON TO SOLICIT POLITICAL CONTRIBUTIONS FROM OFFICERS OR EMPLOYEES.] No person shall solicit, orally or by letter, or be in any manner concerned in soliciting any assessment, contribution or payment for any party or any political purpose whatever, from any officer or employé in the classified civil service.

§ 23. ASSESSMENTS AND CONTRIBUTIONS IN PUBLIC OFFICES FORBIDDEN.] No person shall, in any room or building occupied for the discharge of official duties by any officer or employé in the county, solicit orally or by written communication, delivered therein, or in any other manner, or receive any contribution of money or other thing of value, for any party or political purpose whatever, from any member of the classified civil service. No officer, agent, clerk or employé under the government of any such county, who may have charge or control of any building, office or room, occupied for any purpose of said government shall permit any person to enter the same for the purpose of therein soliciting or delivering written solicitations for or receiving from, or giving notice to any member of the classified civil service of the county of any political assessments.

§ 24. PAYMENTS OF POLITICAL ASSESSMENTS TO PUBLIC OFFICERS PROHIBITED.] No officer or employé in the service of any such county shall, directly or indirectly, give or hand over to any officer or employé in said classified civil service, or to any senator or representative or alderman, councilman or commissioner, any money or other valuable thing, on account of or to be applied to the promotion of any party or political object whatever.

§ 25. ABUSE OF POLITICAL INFLUENCE PROHIBITED.] No person who holds any public office, or who has been nominated for, or who seeks a nomination or appointment to any public office, shall corruptly use or promise to use, either directly or indirectly, any official authority or influence in order to secure or aid any person in securing for himself or for another, any office or public employment, or any nomination, confirmation, promotion or increase of salary as a reward for political influence or service. Nor shall he by means of threats or coercion induce or seek to induce any one in the classified service to resign his position, or to take a leave of absence, or any one at the head of any eligible list to waive his right to certification or appointment. No employé shall be given a leave of absence while under charges, nor shall such leave be given as an alternative to a trial on charges.

No person appointed, or about to be appointed to the position of civil service commissioner shall execute or sign a resignation in advance, dated or undated, for the purpose, or with the result of permitting the appointing power to create at his will a vacancy in the office of civil service commissioner.

§ 26. PAYMENT FOR PLACE PROHIBITED.] No applicant for appointment in said classified service, or to a position named in the eleventh section of this Act, shall pay or promise to pay, either directly or indirectly, any money or other valuable thing to any person whatever for



or on account of his appointment, or proposed appointment, and no officer or employé in said classified service, or named in section eleven of this Act shall pay or promise to pay, either directly or indirectly, any money or other valuable thing, to any person, whatever, for or on account of his promotion or proposed promotion.

§ 27. RECOMMENDATION IN CONSIDERATION OF POLITICAL SERVICE PROHIBITED.] No applicant for appointment or promotion in the classified service shall ask for or receive a recommendation or assistance from any officer or employé in said service, or from any person in consideration of any political service to be rendered to or for such person or for the promotion of such person to any office or appointment.

§ 28. APPOINTMENTS AND REMOVAL TO BE CERTIFIED TO THE COMPTROLLER.] The commission shall certify to the county clerk or other auditing officer all appointments to offices and places in the classified services, and all vacancies occurring therein, whether by dismissal, resignation or death.

§ 29. PAYMENT ONLY AFTER CERTIFICATION.] No county clerk, comptroller, treasurer, paymaster, auditing officer or other officer or agent of such county shall approve the payment of, or be in any manner concerned in paying any salary or wage to any person for services as an officer or employé in the public service covered by this Act, unless an estimate, pay roll or account for such salary or wage, containing the names of the persons to be paid and a statement of the amount to be paid, and the matter on account of which the same is to be paid, shall be filed with him, bearing the certificates of said commission that the persons named in such estimate, pay roll or account have been appointed or employed in pursuance of law and of rules made in pursuance of this Act. Before said commission shall certify any estimate, pay roll or account for the salary or wage of any person appointed to any new office or new place of employment in the classified service, said commission shall investigate and determine whether such office or place of employment is in fact new and was properly created, and said commission shall record its findings in that respect, before making any certificate as aforesaid.

§ 30. COMPELLING TESTIMONY OF WITNESSES.—PRODUCTION OF BOOKS AND PAPERS.] Any person who shall be served with a subpoena to appear and testify or to produce books and papers, issued by the commission or by any commissioners, or by any board or person acting under the orders of the commission in the course of an investigation conducted, under any provision of this Act, and who shall refuse or neglect to appear or testify, or to produce books and papers relevant to said investigation, as commanded in such subpoena, shall be guilty of a misdemeanor, and shall, on conviction, be punished as provided in the thirty-third section of this Act. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts, and shall be paid from the appropriation for the expenses of the commission, and any circuit court or any judge thereof, either in term time or vaca-



tion, upon application of any such commissioner or officer or board, may, in his discretion, compel the attendance of witnesses, the production of books and papers, and giving of testimony before the commission, or before any such commissioners, investigating board or officer by attachment, or contempt, or otherwise, in the same manner as the production of evidence may be compelled before said court. Every person who, having taken an oath or made affirmation before a commissioner or officer appointed by the commission authorized to administer oaths, shall swear or affirm wilfully, corruptly and falsely, shall be guilty of perjury, and upon conviction shall be punished accordingly.

§ 31. PENALTIES.] Any person who shall wilfully or through culpable negligence, violate any of the provisions of this Act, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than \$50 and not exceeding \$1,000, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment, in the discretion of the court.

§ 32. PENALTIES—REMOVAL FROM OFFICE.] If any person shall be convicted under the last preceding section, any public office or place of public employment which such person may hold, shall, by force of such conviction, be rendered vacant.

§ 33. WHAT OFFICERS TO PROSECUTE.] Prosecutions for violations of this Act may be instituted either by the Attorney General, the State's attorney for the county in which the offense is alleged to have been committed, or by the commission acting through special counsel. Such suits shall be conducted and controlled by the prosecuting officers who institute them, unless they request the aid of other prosecuting officers.

§ 34. Persons who were engaged in the military and naval service of the United States during the years 1861, 1862, 1863, 1864 or 1865, and who were honorably discharged therefrom, shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office, and it shall be the duty of the examiner or commissioner certifying the list of eligibles who have taken the examinations provided for in this Act, to place the name or names of such persons at the head of the list of eligibles to be certified for appointment.

§ 35. REPEAL.] All laws or parts of laws which are inconsistent with this Act or any of the provisions thereof are hereby repealed.

APPROVED June 10, 1911.

## CIVIL SERVICE IN PARK SYSTEMS OF 150,000 OR MORE.

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| <p>§ 1. Application of Act.</p> <p>§ 2. Civil Service Board appointed—vacancies—pay—removals.</p> <p>§ 3. Classification—standardization.</p> <p>§ 3a. Persons in service when Act applies.</p> <p>§ 4. Rules.</p> <p>§ 5. Publication of rules.</p> <p>§ 6. Examinations.</p> <p>§ 7. Notice of examinations.</p> <p>§ 8. Registers.</p> <p>§ 9. Promotion.</p> <p>§ 10. Appointments.</p> <p>§ 10a. Transfers.</p> <p>§ 11. Exemptions from the classified service.</p> <p>§ 12. Removals.</p> <p>§ 13. Reports to commission.</p> <p>§ 14. Efficiency—investigations.</p> <p>§ 15. Report of commission.</p> <p>§ 16. Officers.</p> <p>§ 17. Officers to aid—rooms.</p> <p>§ 18. Expenses.</p> <p>§ 19. Frauds prohibited.</p> | <p>§ 20. No officer to receive or solicit political contributions.</p> <p>§ 21. No person to solicit political contributions from officers or employés.</p> <p>§ 22. Assessments and contributions in public offices forbidden.</p> <p>§ 23. Payments of political assessments to public officers prohibited.</p> <p>§ 24. Abuse of political influence prohibited.</p> <p>§ 25. Payment for place prohibited.</p> <p>§ 26. Recommendation in consideration of political service prohibited.</p> <p>§ 27. Appointment and removal to be certified to the comptroller.</p> <p>§ 28. Payment only after certification.</p> <p>§ 29. Compelling testimony of witnesses—production of books and papers.</p> <p>§ 29a. Preferment for appointment.</p> <p>§ 30. Penalties.</p> <p>§ 31. Penalties—removal from office.</p> <p>§ 32. What officers to prosecute.</p> <p>§ 33. Court may appoint special attorney to prosecute.</p> <p>§ 34. Repeal.</p> |
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(HOUSE BILL NO. 259. APPROVED JUNE 10, 1911.)

## AN ACT relating to the civil service in park systems.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all offices and places of employment, other than the office of park commissioner, in any park district (including under this designation any one or more towns having under Acts adopted by such town or towns, corporate authorities authorized by law to levy taxes for the maintenance of a public park or public parks) having one hundred and fifty thousand or more inhabitants residing within its territorial limits shall be classified and filled in the manner hereinafter provided for and not otherwise. Whenever any park district not now containing within its territorial limits one hundred and fifty thousand or more inhabitants shall have attained such number of inhabitants as shown by any census hereafter taken, thereupon this Act shall become applicable to such park district on the first day of July next succeeding the completion of the taking of such census.

§ 2. CIVIL SERVICE BOARD APPOINTED—VACANCIES—PAY—REMOVALS.] In any park district to which this Act is or shall become applicable, there is hereby created and established a Civil Service Board, hereinafter called the board, to consist of three persons to be selected in the manner following:

The governing authority or body of such park district, hereafter called the Park Commissioners, shall within thirty days after this Act becomes applicable, and thereafter whenever a vacancy occurs, appoint a superintendent of employment, for a term of six years from the date of his appointment and until his successor is duly appointed and qualified, and two park commissioners or members of such governing authority, each for a term of two years from the date of his appointment and until his successor is duly appointed and qualified, who shall constitute and be known as the Civil Service Board of such park district. The superintendent of employment shall be paid a salary of not less than three thousand dollars a year. The Park Commissioners may fix the salary of each of the other members of the Civil Service Board at such sum, not to exceed five hundred dollars a year, as they may deem proper. Two members of the board shall constitute a quorum.

No member of the Civil Service Board shall be removed except for palpable incompetence or malfeasance in office upon written charges filed by or at the direction of the Park Commissioners and heard before the board of hearings herein provided for. The persons who are the county judge in and for the county in which said park district is situated and the two judges of the circuit court of such county who have longest held judicial office shall constitute the board of hearings: *Provided*, that whenever more than two circuit judges shall be eligible as having held judicial office for the same length of time, the choice of circuit judges shall be made by them by lot. In case there is but one circuit judge in the circuit including or embracing said county, then said circuit judge and said county judge shall select the third member of said board of hearings from among the circuit judges in contiguous circuits.

The board of hearings shall hear and determine the charges and its findings shall be final and if such charges shall be sustained the member of the Civil Service Board so charged shall be forthwith removed from office by said board of hearings and the Park Commissioners shall thereupon proceed within thirty days to fill the vacancy created by such removal. In any proceedings provided for in this section the board of hearings, and each member thereof, shall have power to administer oaths and to compel by subpoena the attendance and testimony of witnesses and the production of books and papers.

§ 3. CLASSIFICATION—STANDARDIZATION.] The superintendent of employment shall, with the consent and approval of said Civil Service Board, classify within ninety days after this Act goes into effect, all offices and places of employment in said park district with reference to the duties thereof for the purpose of establishing grades, and of fixing and maintaining standards of examinations hereinafter provided for. The offices and places so classified shall constitute the classified civil service of such park district and no appointments, promotions, transfers, reductions in grade or pay or removal therefrom shall be made except under and according to the provisions of this Act and of the rules here-

inafter mentioned. As a part of such classified civil service all officers and employes under said board, except special examiners, shall be included. The superintendent of employment shall ascertain and record the duties of each office and place in the classified civil service and designate the grade of each position. Each grade shall comprise offices and places having substantially similar duties. He shall also record the lines of promotion from each lower grade to a higher grade wherever the experience derived in the performance of the duties of such lower grade tends to qualify for performance of duty in such higher grade. The Civil Service Board shall by rule prescribe standards of efficiency for each grade and for examinations of candidates for appointment thereto.

For the purpose of establishing uniformity of pay and title for all offices and places of employment classified in the same grade, it shall be the duty of the Civil Service Board to prescribe by rule the maximum and minimum pay for each grade and the title thereof and to report to the Park Commissioners annually and at such other times as they may direct the name and address of each officer and employe paid more or less than the pay prescribed for his grade or designated by a title other than that prescribed for his grade by the board. It shall be the duty of the Park Commissioners within thirty days after receiving such report to change the pay or title of any officer or employe so reported out of grade to conform to the title and pay prescribed by the board for the grade in which the position held by such officer or employe is classified. The board shall standardize employment in each grade and make and keep a record of the relative efficiency of each officer and employe in the classified civil service. The board shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made which shall be uniform for each grade in the classified civil service.

§ 3a. PERSONS IN SERVICE WHEN ACT APPLIES.] In any park district which is now, or which hereafter may become, subject to the provisions of this Act, all persons who at the time when this Act takes effect or becomes applicable, hold offices or places of employment which this Act provides shall be classified, shall be included under the provisions of this Act and shall become members of the classified civil service of such park district, without original examination.

§ 4. RULES.] The Civil Service Board shall make rules to carry out the purposes of this Act, and for examinations, appointments, transfers and removals and for maintaining and keeping records of the efficiency of officers and employes, and groups of officers and employes, in accordance with the provisions of this Act, and said board may from time to time make changes in such rules.

§ 5. PUBLICATION OF RULES.] All rules made as herein provided and all changes therein shall forthwith be printed for distribution by the Civil Service Board and it shall give notice of the places where said



rules may be obtained, by publication in one or more daily newspapers published in the county in which said park district is situated and in each such publication shall specify the date not less than ten days subsequent to the date of such publication, when said rules shall go into operation.

§ 6. EXAMINATIONS.] All applicants for offices or places in said classified civil service, except those mentioned in section 11 hereof, shall be subjected to examination, which shall be public, competitive and free to all persons who may be lawfully appointed thereto, with limitations specified in the rules of the board as to residence, age, sex, health, habits, moral character and qualifications to perform the duties of the office or place to be filled, which qualification shall be prescribed in advance of such examination. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed, and may include tests of physical qualifications and health and when appropriate, of manual skill. No question in any examination shall relate to political or religious opinions or affiliations. The superintendent of employment shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons to be special examiners; and it shall be the duty of such special examiners to conduct such examinations as the superintendent of employment may direct, and to make return and report thereof to him; and he may at any time substitute any other person in the place of any one so selected; and he may himself, at any time, act as such special examiner, and without appointing other special examiners. The board shall, with reference to maintaining eligible registers, proceed by rule to divide the entire service into two divisions; in one of these divisions shall be included all offices and places of employment in the classified service whereto certification is infrequent; in the other shall be included all other offices and places in the classified service. Such rule shall distinctly designate in which division each of said offices or places falls; and as to all offices and places comprised under the first division above mentioned, examination shall be held only when a vacancy exists, and within 60 days thereafter, and an eligible list or register, so prepared, shall be in force only until permanent appointment has been made from such list or registers; and as to all other offices and places said board shall, by rule, provide for and said superintendent of employment shall hold a sufficient number of examinations to provide a sufficient number of eligibles on the register for each grade of position in the classified civil service, and if any place in the classified civil service shall become vacant, to which there is no person eligible for appointment, he shall immediately hold an examination for such position and repeat the same if necessary, until a vacancy is filled in accordance with the provisions of this Act.

Said board may, in its discretion, cancel such portion of any such register as has been in force for more than two years, but not while any

vacancy exists for the filling of which a requisition has been made upon the commission, and which can be filled from said register. Examinations for an eligible list for each position in the classified service above mentioned shall be held at least once in two years.

§ 7. NOTICE OF EXAMINATIONS.] Notice of the time and place and general scope of every examination and of the duties, pay and nature of the position sought to be filled shall be given by the superintendent of employment by publication for two weeks preceding such examination, in a daily newspaper of general circulation published in the county in which said park district is situated and such notice shall be posted by him in a conspicuous place in his office for two weeks before such examinations.

§ 8. REGISTERS.] From the return or reports of examiners, or from the examinations made by the superintendent of employment, the superintendent of employment shall prepare a register for each grade or class of position in the classified service of the park district of the persons who shall attain such minimum mark as may be fixed by the superintendent of employment for any part of such examination, and whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of said board, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination.

§ 9. PROMOTION.] The superintendent of employment shall note of record the duties (whether imposed by law, official regulation or practice) of each office or place in the classified service. The Civil Service Board shall thereupon by rule fix lines for promotion from such several offices and places to superior offices or places in all cases where, in the judgment of the board, the duties of such several positions directly tend to fit the incumbent for a superior position. In case of vacancy in superior offices or places, which cannot be filled by reinstatement, the superintendent of employment shall hold promotion examinations to fill such vacancy. Incumbents of offices or places next lower in the line so fixed shall be solely eligible for such examination, unless in the judgment of the board, to be noted in its minutes with the grounds therefor, it is for the best interests of the service that original examination for such vacancy be held. In promotion examinations, efficiency and seniority in service shall form a part of such examination, but combined shall not carry a total number of marks to exceed one-quarter of the maximum marks attainable in such examination. All examinations for promotion shall be competitive. The method of examination, the rules governing the same, and the method of certifying shall be the same as provided for in original examination.

§ 10. APPOINTMENTS.] Whenever a position classified under this Act is to be filled, the appointing officer shall make requisition upon said board, and the board shall certify to him the name and address of the candidate standing highest upon the register of eligibles for said

position. The appointing officer shall notify the board of each position to be filled separately and shall fill such position by the appointment of the person certified to him by said board therefor which appointment shall be on probation for a period of not more than three months to be fixed by said rules. At any time during the period of probation, the appointing officer may discharge a person so certified and shall forthwith notify the board in writing of such discharge. If such person is not thus discharged [discharged], his appointment shall be deemed complete.

When there is no eligible list, the appointing officer may, with the authority of the superintendent of employment, make temporary appointments to remain in force only until regular appointments under the provisions of this Act can be made, and examinations to supply an eligible list therefor shall be held and an eligible list established therefrom within sixty days from the making of such appointments.

In employment of an essentially temporary and transitory nature, the appointing officer may, with the authority of the said superintendent, make temporary appointments to fill a vacancy, but no such authority shall be granted for a period of more than thirty days, but it may be renewed from time to time by the superintendent. The said superintendent shall include in his annual report, and if thereto required by the Park Commissioners, in any special report, a statement of all temporary authorities granted or renewed during the year or period specified by the Park Commissioners, together with a statement of the facts in each case because of which such authority was granted.

The acceptance or refusal by an eligible person of a temporary appointment shall not affect his standing on the register for permanent appointment.

§ 10a. TRANSFERS.] The board may by its rules provide for transfers of officers and employes in the classified service from positions in one office or department to positions of the same class and grade in another office or department. Transfers which are in the nature of promotions shall be governed by section 9 of this Act and transfers which are in the nature of demotions shall be governed by section 12 of this Act.

§ 11. EXEMPTIONS FROM THE CLASSIFIED SERVICE.] The following offices and places of employment, in so far as there are or may be such in such park district, shall not be included within the classified civil service: All elective officers, the general superintendent, the attorneys and one confidential clerk or secretary.

§ 12. REMOVALS.] No officer or employe in the classified civil service of any park district shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Such charges shall be investigated by or before the Civil Service Board, or by or before some officer or officers appointed by the board to conduct such investigation within thirty days from the date of suspension under such charges. The hearing shall be public and the ac-



cused shall be entitled to call witnesses in his defense and to have the aid of counsel. The hearing may be postponed or continued with the consent of the accused. The finding and decision of the board or of such investigating officer or officers, when approved by said board, shall be final and shall be certified to the appointing officer, and shall be forthwith enforced by such officer. Nothing in this Act shall limit the power of any officer to suspend a subordinate for a reasonable period not exceeding thirty days. Every such suspension shall be without pay: *Provided, however,* that the board shall have authority to investigate every such suspension and, in case of its disapproval thereof, it shall have power to restore pay to the employé so suspended. In the course of any investigation provided for in this Act, each member of the board and any officer appointed by it shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers.

§ 13. REPORTS TO COMMISSION.] Notice in writing shall be given by the appointing power to said board of all appointments, permanent or temporary, made in such classified civil service and of all transfers, promotions, resignations, or vacancies from any cause in such service within ten days of the date thereof, and a record of the same shall be kept by said commission. If, when created, such office or place is not embraced in the then existing classification, the commission shall within thirty days of the receipt of said report, classify the same and standardize the duties thereof. But no place of employment shall be deemed a newly created position, the duties of which come within the scope of standardization already fixed by the commission. When any office or place of employment is created or abolished, or the compensation attached thereto altered, the officer or board making such change shall report it in writing to said commission within ten days of the date thereof.

§ 14. EFFICIENCY—INVESTIGATION.] The board shall investigate the efficiency of all officers and employés and of all groups of officers and employés in the classified service and shall report to each officer, board or other authority in charge of any office or department of the park district its findings and recommendations relative to increasing efficiency and economy therein. In case the recommendations made by the board are not carried into effect within a reasonable time, or in case of a difference of opinion with reference to such findings or recommendations between the board and the officer, or authority in charge of an office or department concerned in any such findings or recommendation, the report accompanied by a note of the relevant facts shall be transmitted to the Park Commissioners by the board. The superintendent of employment shall investigate the enforcement of this Act and of the rules of the board, the conduct of the appointees in the classified service and the methods of administration therein, and may investigate the nature, tenure and compensation of all offices and places in the civil service of the park district. In the course of such investigation said



superintendent shall have power to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of books and papers.

§ 15. REPORT OF COMMISSION.] Said board shall, on or before the 15th day of January of each year, make to the Park Commissioners a report showing its own action, the rules in force, the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this Act. The Park Commissioners may require a report from said board at any time.

§ 16. OFFICERS.] The board shall select one of its own members to act as secretary. The secretary shall keep the minutes of the board, preserve all records and perform such other duties as the board may direct.

§ 17. OFFICERS TO AID—ROOMS.] All officers of the park district shall aid the board in all proper ways in carrying out the provisions of the Act and at any place where examinations are to be held shall allow reasonable use of public buildings for holding such examinations. The Park Commissioners shall cause suitable rooms to be provided for the board at the expense of the park district.

§ 18. EXPENSES.] A sufficient sum of money shall be appropriated each year by the Park Commissioners to carry out the provisions of this Act; and Park Commissioners shall allow to said board such clerical help and such sums to operate and maintain said office as shall be necessary and the compensation of such clerical help and such sums allowed shall be paid by the park district as other park district charges. If the Park Commissioners shall have already made the annual appropriations for park district purposes for the current fiscal year, the Park Commissioners are authorized and required to pay the salaries and expenses of the Civil Service Board for such fiscal year out of the moneys appropriated for contingent purposes by said Park Commissioners.

§ 19. FRAUDS PROHIBITED.] No person or officer shall wilfully or corruptly by himself, or in coöperation with one or more persons, defeat, deceive or obstruct any person in respect to his or her right of examination and employment hereunder; or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder or aid in so doing; or wilfully or corruptly threaten to dismiss, transfer or bring charges against any employé in the classified civil service; or wilfully or corruptly make any false representation concerning the examination or concerning the person examined; or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any persons so examined, or to be examined, being appointed, employed or promoted. And no applicant for any examination shall wilfully or corruptly by himself, or in coöperation with one or more persons, deceive the said board with reference to his identity, or wilfully or corruptly make any false representations in his application for any examination, or commit any fraud for the purpose of improving his prospects or chances in such examination.

§ 20. NO OFFICER TO RECEIVE OR SOLICIT POLITICAL CONTRIBUTIONS.] No officer or employé shall solicit, orally or by letter, or give or receive, or be in any manner concerned in soliciting or giving or receiving any assessment, subscription or contribution from any member of the classified civil service for any party or political purpose whatever.

§ 21. NO PERSON TO SOLICIT POLITICAL CONTRIBUTIONS FROM OFFICERS OR EMPLOYEES.] No person shall solicit, orally or by letter, or be in any manner concerned in soliciting any assessment, contribution or payment for any party or any political purpose whatever from any officer or employé in the classified civil service.

§ 22. ASSESSMENTS AND CONTRIBUTIONS IN PUBLIC OFFICES FORBIDDEN.] No person shall in any room or building occupied for the discharge of official duties by any officer or employé in the park district, solicit orally or by written communication delivered therein, or in any other manner, or receive any contribution of money or other thing of value, for any party or political purpose whatever, from any member of the classified civil service. No officer, agent, clerk, or employé under the government of any such park district, who may have charge or control of any building, office or room occupied for any purpose of said government shall permit any person to enter the same for the purpose of therein soliciting or delivering written solicitations for or receiving from, or giving notice to any member of the classified civil service of any political assessments.

§ 23. PAYMENTS OF POLITICAL ASSESSMENTS TO PUBLIC OFFICERS PROHIBITED.] No officer or employé in the service of any such park district shall, directly or indirectly, give or hand over to any officer or employé in said classified civil service, or to any senator or representative or alderman, councilman, or park commissioner, any money or other valuable thing on account of or to be applied to the promotion of any party or political object whatever.

§ 24. ABUSE OF POLITICAL INFLUENCE PROHIBITED.] No person who holds any public office, or who has been nominated for, or who seeks a nomination or appointment to any public office, shall corruptly use or promise to use, either directly or indirectly, any official authority or influence in order to secure or aid any person in securing for himself or for another, any office or public employment, or any nomination, confirmation, promotion or increase of salary as a reward for political influence or service. No person appointed, or about to be appointed to the position of civil service commissioner, or to a position in the classified service, shall execute or sign a resignation in advance, dated or undated, for the purpose, or with the result of permitting the appointing power to create at his will a vacancy in the office of civil service commissioner or in a position in the classified service.

§ 25. PAYMENT FOR PLACE PROHIBITED.] No applicant for appointment in said classified service, or to a position named in the eleventh section of this Act, shall pay or promise to pay, either directly

or indirectly, any money or other valuable thing to any person whatever for or on account of his appointment, or proposed appointment, and no officer or employé in said classified service, or named in section eleven of this Act shall pay or promise to pay, either directly or indirectly, any money or other valuable thing, to any person whatever for or on account of his promotion or proposed promotion. Nor shall he by means of threats or coercion induce or seek to induce any one in the classified service to resign his position, or to take a leave of absence, or any one at the head of an eligible list to waive his right to certification or appointment. No employé shall be given a leave of absence while under charges, nor shall such leave be given as an alternative to a trial on charges.

§ 26. RECOMMENDATION IN CONSIDERATION OF POLITICAL SERVICE PROHIBITED.] No applicant for appointment or promotion in the classified service shall ask for or receive a recommendation or assistance from any officer or employé in said service, or from any person in consideration of any political service to be rendered to or for such person or for the promotion of such person to any office or appointment.

§ 27. APPOINTMENT AND REMOVAL TO BE CERTIFIED TO THE COMPTROLLER.] The board shall certify to the treasurer or other financial or auditing officer all appointments to offices and places in the classified service, and all vacancies occurring therein, whether by dismissal, resignation or death, and all decisions of the board under the provisions of the fourteenth section of this Act.

§ 28. PAYMENT ONLY AFTER CERTIFICATION.] No treasurer, comptroller, paymaster, auditing officer or other officer or agent of such park district shall approve the payment of, or being [be] in any manner concerned in paying any salary or wage to any person for services as an officer or employé in the public service covered by this Act, unless an estimate, pay roll or account for such salary or wage, containing the names of the persons to be paid and a statement of the amount to be paid each and the matter on account of which the same is to be paid, shall be filed with him, bearing the certificates of said commission that the persons named in such estimate, pay roll or account have been appointed or employed in pursuance of law, and that the amounts of money set forth are lawfully due them under this Act and of the rules made in pursuance of this Act. Before said commission shall certify any estimate, pay roll or account for the salary or wage of any person appointed to any new office or new place of employment in the classified service, said commission shall investigate and determine whether such office or place of employment is in fact new and was properly created, and said commission shall record its findings in that respect before making any certificate as aforesaid.

§ 29. COMPELLING TESTIMONY OF WITNESSES—PRODUCTION OF BOOKS AND PAPERS.] Any person who shall be served with a subpoena to appear and testify or to produce books and papers, issued by the board or by any member thereof, or by any person or persons acting under the or-



ders of the board in the course of an investigation conducted under any provision of this Act, and who shall refuse or neglect to appear or testify, or to produce books and papers relevant to said investigation, as commanded in such subpoena, shall be guilty of a misdemeanor and shall, on conviction, be punished as provided in the thirty-third section of this Act. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before circuit courts, and shall be paid from the appropriation for the expenses of the board, and any circuit court or any judge thereof, either in term time or vacation, upon application of any such member of the board, may, in his discretion, compel the attendance of witnesses, the production of books and papers, and giving of testimony before the board, or before any such investigating officer by attachment, or contempt or otherwise, in the same manner as the production of evidence may be compelled before said court. Every person who, having taken an oath or made affirmation before a member of the board, or officer appointed by the board authorized to administer oaths, shall swear or affirm wilfully, corruptly and falsely, shall be guilty of perjury and upon conviction shall be punished accordingly.

§ 29a. Persons who were engaged in the military and naval service of the United States during the years 1861, 1862, 1863, 1864 or 1865, and who were honorably discharged therefrom, shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office, and it shall be the duty of the examiner or commissioner certifying the list of eligibles who have taken the examinations provided for in this Act, to place the name or names of such persons at the head of the list of eligibles to be certified for appointment.

§ 30. PENALTIES.] Any person who shall wilfully or through culpable negligence violate any of the provisions of this Act shall be guilty of a misdemeanor and shall, on conviction thereof, be punished by a fine of not less than \$50 and not exceeding \$1,000, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment, in the discretion of the court.

§ 31. PENALTIES—REMOVAL FROM OFFICE.] If any person shall be convicted under the last preceding section, any public office or place of public employment which such person may hold shall, by force of such conviction, be rendered vacant.

§ 32. WHAT OFFICERS TO PROSECUTE.] Prosecutions for violations of this Act may be instituted either by the Attorney General, the State's attorney for the county in which the offense is alleged to have been committed, or by the Civil Service Board acting through special counsel. Such suits shall be conducted and controlled by the prosecuting officers who institute them unless they request the aid of other prosecuting officers.

§ 33. COURT MAY APPOINT SPECIAL ATTORNEY TO PROSECUTE.] Whenever the Attorney General or the State's attorney for the county in which an offense under this Act is alleged to have been committed shall refuse



to prosecute the person or persons alleged to have committed such an offense, or shall fail to prosecute such person or persons after the lapse of thirty days from the date the alleged offense is brought to his attention, then any taxpayer may apply to any judge of the circuit court of such county for the appointment of a special attorney to conduct a prosecution of such person or persons and upon such application the court may appoint some competent attorney to prosecute the person or persons alleged to have committed the offense and the special attorney so appointed shall have the same power and authority in relation to any prosecution for violation of this Act against such person or persons as the Attorney General or the State's attorney would have had in prosecuting any violation of this Act, and such special attorney shall conduct and control such prosecution unless he request the aid of other prosecuting officers.

§ 34. REPEAL.] All laws or parts of laws which are inconsistent with this Act or any of the provisions thereof, are hereby repealed.

APPROVED June 10, 1911.

#### STATE EMPLOYES—ACT OF 1905 AMENDED.

- § 1. Amends sections 3, 4, 6, 9, 10, 11, 12 and 14, and adds sections 3a and 3b, Act of 1905.
- § 3. Classification.
- § 3a. Grade—pay—title.
- § 3b. Exemption from examination.
- § 4. Rules.
- § 6. Examinations.

- § 9. Promotion.
- § 10. Appointments to classified service.
- § 11. Classified service—what not included.
- § 12. Removals, reductions and suspensions.
- § 14. Investigations.

(HOUSE BILL NO. 47. APPROVED JUNE 10, 1911.)

AN ACT to amend sections 3, 4, 6, 9, 10, 11, 12 and 14 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905; as amended by an Act approved April 19, 1907, in force July 1, 1907; as amended by an Act approved May 25, 1907, in force July 1, 1907, and by adding two new sections to be known as sections 3a and 3b.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 3, 4, 6, 9, 10, 11, 12 and 14 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905; as amended by an Act approved April 19, 1907, in force July 1, 1907; as amended by an Act approved May 25, 1907, in force July 1, 1907, be and the same are hereby amended, and by adding thereto two new sections to be known as sections 3a and 3b, which said sections as amended and said additional sections shall read as follows:

§ 3. Said commissioners shall within six months after this Act goes into effect, classify all the offices and places of employment in the State

service, except as provided in section 11 of this Act, with reference to the duties thereof, for the purpose of establishing grades and for the purpose of fixing and maintaining standards of examinations herein-after provided for. Such classification shall include all offices and places of employment now in existence or which may hereafter be created in the State service of the State of Illinois, except those expressly exempted from the operation of this Act in section 11 hereof. The offices and places so classified by the commission shall constitute the classified civil service of the State, and no appointments to any of such offices or places shall be made except under and according to the provisions of this Act and of the rules hereinafter mentioned. The classified service shall include the position of chief examiner herein provided for and all officers and employ  s of the Civil Service Commission except special examiners.

   3a. The commission shall ascertain the duties of each office and place in the classified service and designate by rule the grade of each position. Each grade shall comprise offices and places having substantially similar duties. The commission shall by rule indicate the lines of promotion from each lower grade to a higher grade wherever the experience derived in performance of the duties of such lower grade tends to qualify for performance of duty in such higher grade. The commission shall by rule prescribe standards of efficiency for each grade and for examinations of candidates for appointment thereto. For the purpose of establishing uniformity of pay and title for all offices and places of employment classified in the same grade, it shall be the duty of the commission to prescribe by rule the maximum and minimum pay for each grade and the title thereof and to report to the Governor annually, and at such other times as he may direct, the name and address of each officer and employ   paid more or less than the pay prescribed for his grade or designated by a title other than that prescribed for his grade by the commission.

The commission shall standardize employment in each grade and make and keep a record of the relative efficiency of each officer and employ   in the classified service. It shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made, which shall be uniform for each grade of the classified service.

   3b. All persons who, when this Act takes effect, shall hold offices or places of employment other than those exempted in section 11 of this Act, shall be classified under the provisions of this Act, and shall become members of the classified State civil service without original examination.

   4. Said commission shall make rules to carry out the purposes of this Act, and for examination, appointments, transfers and removals and for maintaining and keeping records of the efficiency of officers and employ  s and groups of officers and employ  s in accordance with the provisions of this Act, and said commission may from time to time make changes in such rules.

§ 6. All applicants for offices or places in said classified service, except those mentioned in section 11 hereof, shall be subjected to examination, which shall be public, competitive and free to all citizens of the State of Illinois who may be lawfully appointed to any office or place in the service of the State of Illinois, with limitations specified in the rules of the commission as to residence, age, sex, health, habits, moral character and qualifications to perform the duties of the office or place to be filled, which qualifications shall be prescribed by rule in advance of such examination: *Provided, however,* that in examinations for technical positions residence may be waived. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed, and may include tests of physical qualifications and health, and when appropriate, of manual skill. No question in any examination shall relate to political or religious opinions or affiliations. The commission shall control all examinations and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the State, to be examiners; and it shall be the duty of such examiners, and if in the official service it shall, without extra compensation, be a part of their official duty to conduct such examination as the commission may direct, and to make return or report thereof to said commission; and the commission may at any time substitute any other person, whether or not in such service, in the place of any one so selected, and the commission may themselves at any time act as such examiners and without appointing examiners.

§ 9. PROMOTION.] The commission shall note of record the duties (whether imposed by law, official regulation or practice) of each office or place in the classified service. It shall thereupon by rule fix lines of promotion from such several offices and places to superior offices or places in all cases where, in the judgment of the commission, the duties of such several positions directly tend to fit the incumbent for a superior position. In case of vacancy in superior offices or places, which cannot be filled by reinstatement, the commission shall hold promotion examinations to fill such vacancy. Incumbents of offices or places next lower in the line so fixed shall be solely eligible for such examination unless in the judgment of the commission, to be noted in its minutes with the grounds therefor, it is for the best interests of the service that original examination for such vacancy be held. In promotion examinations, efficiency and seniority in service shall form a part of such examination, but combined, shall not carry a total number of marks to exceed one-quarter of the maximum mark attainable in such examination. All examinations for promotion shall be competitive. The method of examination, the rules governing the same and the method of certifying shall be the same as provided for in original examination.

§ 10. APPOINTMENTS.] Whenever a position classified under this Act is to be filled, the appointing officer shall make requisition upon



said commission, and the commission shall certify to him the name and address of the candidate standing highest upon the register of eligibles for said position, except that in case of laborers, when a choice by competition is impracticable, said commission may provide by its rules that the selection shall be made by lot from among those candidates proved fit by examination. The appointing officer shall notify the commission of each position to be filled separately and shall fill such position by the appointment of the person certified to him by said commission therefor, which appointment shall be on probation for a period not more than three months to be fixed by said rules. At any time during the period of probation, the appointing officer may discharge a person so certified and shall forthwith notify the commission in writing of such discharge. If such person is not thus discharged, his appointment shall be deemed complete.

Persons who were engaged in the military and naval service of the United States during the years 1861, 1862, 1863, 1864 and 1865, and who were honorably discharged therefrom, shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office, and it shall be the duty of the examiner or commissioner certifying the list of eligibles who have taken the examinations provided for in this Act, to place the name or names of such persons at the head of the list of eligibles to be certified for appointment.

When there is no eligible list, the appointing officer may, with the authority of the commission, make temporary appointments to remain in force only until regular appointments under the provisions [of] this Act can be made.

In employment of an essentially temporary and transitory nature, the appointing officer may, with the authority of the commission, make temporary appointments to fill a vacancy, but no such authority shall be granted for a period of more than 30 days, but it may be renewed from time to time by the commission. The commission shall include in its annual report, and if thereto required by the Governor, in any special report, a statement of all temporary authorities granted or renewed during the year or period specified by the Governor, together with a statement of the facts in each case because of which such authority was granted.

The acceptance or refusal by an eligible person of a temporary appointment shall not affect the standing on the register for permanent appointment.

§ 11. CLASSIFIED SERVICE—WHAT NOT INCLUDED.] All officers elected by the people; all officers, boards and commissioners appointed by the Governor subject to confirmation by the Senate; all officers and employés of the General Assembly or either house thereof; judges and officers appointed by judges of any court, clerks of court, notaries pub-



lic; persons employed in the military service of the State; all presidents, deans, principals, professors, instructors, scientific staff and other teachers in the University of Illinois and the normal schools; employes at the executive mansion; all regular and special assistants Attorney General, including the inheritance tax attorney of Cook county and assistant inheritance tax attorney of Cook county, and all special attorneys employed by the Attorney General, or by any board, superintendent or officer; building and loan and bank examiners, superintendents, wardens and chaplains of the State charitable, correctional and penal institutions; one private secretary or stenographer in each of the elective offices, and in the office of the presidents of the University of Illinois and the normal schools, and all clerks and watchmen in the respective offices of Governor, Lieutenant Governor, Secretary of State, State Treasurer, Auditor of Public Accounts and Superintendent of Public Instruction shall not be included in the classified service: *Provided*, that in the University of Illinois and the normal schools, students may be employed under the rules of the Civil Service Commission without examination or certification, and a private secretary or stenographer in the offices of the dean of men and the dean of women of the University of Illinois shall not be included in the classified service.

§ 12. No officer or employé in the classified civil service shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Such charges shall be investigated by or before said Civil Service Commission, or by or before some officer or board appointed by said commission to conduct such investigation. The finding and decision of such commission or of such investigating officer or board, when approved by said commission, shall be certified to the appointing officer, and shall be forthwith enforced by such officer. Nothing in this Act shall limit the power of any officer to suspend a subordinate for a reasonable period, not exceeding thirty days. Every such suspension shall be without pay: *Provided, however*, that the commission shall have authority to investigate every such suspension, and in case of its disapproval thereof, it shall have power to restore pay to the employé so suspended. In the course of any investigation provided for in this Act each member of the commission, and of any board so appointed by it, and any officer so appointed, shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers. Nothing in this section shall be construed to require such charges in case of laborers or in case of persons having the custody of public money for the safe keeping of which another person has given bonds.

§ 14. The commission shall investigate the efficiency of all officers and employes and of all groups of officers and employes in the classified service and shall report to each officer, board or other authority in charge of any institution, office or department of the State government its findings and recommendations relative to increasing efficiency and

economy therein. In case the recommendations made by the commission are not carried into effect within a reasonable time, or in case of a difference of opinion with reference to such findings or recommendations between the commission and the officer, board or other authority in charge of an institution, office or department concerned in any such finding or recommendation, the report accompanied by a note of the relevant facts shall be transmitted to the Governor by the commission. The commission shall investigate the enforcement of this Act and of the rules of the commission, the conduct of the appointees in the classified service, and the method of administration therein, and may investigate the nature, tenure and compensation of all offices and places in the civil service of the State. In the course of such investigation each commissioner shall have power to administer oaths, and said commission shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers.

APPROVED June 10, 1911.

## COMMON CARRIERS.

### UNIFORM BILLS OF LADING ACT.

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| <p>§ 1. Bills of lading of any common carrier governed by Act.</p> <p>§ 2. What bill must embody—omissions.</p> <p>§ 3. What insertions permitted in bill.</p> <p>§ 4. Non-negotiable or straight bill defined.</p> <p>§ 5. Negotiable or order bill defined.</p> <p>§ 6. Negotiable bills not to be issued in parts—liability.</p> <p>§ 7. Negotiable bill in duplicate—how indicated.</p> <p>§ 8. Non-negotiable bill—how marked.</p> <p>§ 9. Person to be notified, etc., no limitation of negotiability of bill.</p> <p>§ 10. Objections by consignor—form—unconditional bill.</p> <p>§ 11. When carrier bound to deliver goods.</p> <p>§ 12. When carrier justified in delivering goods.</p> <p>§ 13. When carrier delivers goods to one not entitled thereto.</p> <p>§ 14. When carrier fails to take up negotiable bill.</p> <p>§ 15. When carrier delivers part of goods.</p> <p>§ 16. Alteration, addition or erasure in bill.</p> | <p>§ 17. Where negotiable bill lost or destroyed.</p> <p>§ 18. Liability for duplicate bill.</p> <p>§ 19. Refusal of carrier to deliver goods.</p> <p>§ 20. When more than one claims title or possession of goods.</p> <p>§ 21. Validity of adverse claim.</p> <p>§ 22. Right or title of third person no defense to action against carrier for failure to deliver goods.</p> <p>§ 23. Liability of carrier to consignee or holder of bill—"shipper's load and count."</p> <p>§ 24. Goods attached by garnishment or levied upon.</p> <p>§ 25. Attachment of negotiable bill by creditor—injunction, etc.</p> <p>§ 26. Carrier's lien under negotiable bill.</p> <p>§ 27. When carrier not liable for failure to deliver goods.</p> <p>§ 28. When negotiable bill negotiated by delivery.</p> <p>§ 29. When negotiable bill negotiated by indorsement.</p> <p>§ 30. Transfer of bill.</p> <p>§ 31. How negotiable bill negotiated by any person.</p> |
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UNIFORM BILLS OF LADING ACT—*Concluded.*

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| <p>§ 32. What acquired by negotiation of negotiable bill.</p> <p>§ 33. What acquired by transfer of bill not negotiated.</p> <p>§ 34. Obligation to indorse negotiable bill transferred, etc.</p> <p>§ 35. What warranted by negotiation or transfer.</p> <p>§ 36. Indorser not liable for any failure of carrier or previous indorsers.</p> <p>§ 37. No warranty by mortgagee, pledge or holder of bill for security.</p> <p>§ 38. How validity of negotiation of bill impaired.</p> <p>§ 39. Possession of negotiable bill for goods sold, mortgaged or pledged.</p> <p>§ 40. Shipment by consignor under contract, etc.</p> <p>§ 41. Where seller transmits draft and bill—what buyer justified in assuming.</p> <p>§ 42. Rights of purchaser for value in negotiated bill.</p> | <p>§ 43. Rights and remedies of mortgagee or lien holder.</p> <p>§ 44. Issuing bill for goods not received by carrier—penalty.</p> <p>§ 45. Issuing bill containing false statement—penalty.</p> <p>§ 46. Issuing duplicate or additional negotiable bill, etc.—penalty.</p> <p>§ 47. Shipping goods mortgaged, etc., with disclosing title, etc.—penalty.</p> <p>§ 48. Deceiving in negotiation or transfer—penalty.</p> <p>§ 49. Securing issue of bill for goods not received—penalty.</p> <p>§ 50. Issuing non-negotiable bill with words “not negotiable” —penalty.</p> <p>§ 51. Rules in cases not provided for.</p> <p>§ 52. Interpretation.</p> <p>§ 53. Terms defined.</p> <p>§ 54. To what Act does not apply.</p> <p>§ 55. Repeal.</p> <p>§ 56. Act cited as “Uniform Bills of Lading Act.”</p> |
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(HOUSE BILL NO. 127. APPROVED JUNE 5, 1911.)

AN ACT in regard to bills of lading and to create, define and punish certain criminal offenses in relation thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Bills of lading issued by any common carrier shall be governed by this Act.

- § 2. Every bill must embody within its written or printed terms:
- (a) The date of its issue,
  - (b) The name of the person from whom the goods have been received,
  - (c) The place where the goods have been received,
  - (d) The place to which the goods are to be transported,
  - (e) A statement whether the goods received will be delivered to a specified person, or to the order of a specified person,
  - (f) A description of the goods or of the packages containing them which may, however, be in such general terms as are referred to in section 23, and
  - (g) The signature of the carrier.

A negotiable bill shall have the words “order of” printed thereon immediately before the name of the person upon whose order the goods received are deliverable.

A carrier shall be liable to any person injured thereby for the damage caused by the omission from a negotiable bill of any of the provisions required in this section.

§ 3. A carrier may insert in a bill, issued by him, any other terms and conditions, provided that such terms and conditions shall not—



- (a) Be contrary to law or public policy, or
- (b) In any wise impair his obligation to exercise at least that degree of care in the transportation and safe-keeping of the goods entrusted to him which a reasonably careful man would exercise in regard to similar goods of his own.

§ 4. A bill in which it is stated that the goods are consigned or destined to a specified person, is a non-negotiable or straight bill.

§ 5. A bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill, is a negotiable or order bill.

Any provision in such a bill that it is non-negotiable shall not affect its negotiability within the meaning of this Act.

§ 6. Negotiable bills issued in this State for the transportation of goods to any place in the United States on the continent of North America, except Alaska, shall not be issued in parts or sets.

If so issued the carrier issuing them shall be liable for failure to deliver the goods described therein to any one who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts.

§ 7. When more than one negotiable bill is issued in this State for the same goods to be transported to any place in the United States on the continent of North America, except Alaska, the word "duplicate" or some other word or words indicating that the document is not an original bill shall be placed plainly upon the face of every such bill, except the one first issued. A carrier shall be liable for the damage caused by his failure so to do to any one who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill.

§ 8. A non-negotiable bill shall have placed plainly upon its face by the carrier issuing it "non-negotiable" or "not negotiable."

This section shall not apply, however, to memoranda or acknowledgments of an informal character.

§ 9. The insertion in a negotiable bill of the name of the person to be notified of the arrival of the goods shall not limit the negotiability of the bill, or constitute notice to a purchaser thereof of any rights or equities of such person in the goods.

§ 10. Except as otherwise provided in this Act, where a consignor receives a bill and makes no objection as hereinafter provided to its terms or conditions, neither the consignor or any person who accepts delivery of the goods, or any person who seeks to enforce any provision of the bill, shall be allowed to deny that he is bound by such terms and conditions, so far as they are not contrary to law or public policy:

*Provided*, that any objection to the lawful terms and conditions of said bill shall be made in writing, which only need state the mere fact of such objection, by the consignor within three hours after receiving said bill and all such bills shall have attached to the same a blank form for such objection. Thereupon it shall be the duty of the officer, agent or ser-



vant of the carrier to take up said bill of lading so objected to, and upon request of such officer, agent or servant, it shall be the duty of the consignor to surrender such bill of lading and thereupon such officer, agent or servant shall issue an unconditional bill under which consignor shall pay the lawful freight rate.

§ 11. A carrier, in the absence of some lawful excuse, is bound to deliver goods upon the demand made either by the consignee named in the bill for the goods, or if the bill is negotiable, by the holder thereof, if such demand is accompanied by—

(a) An offer in good faith to satisfy the carrier's lawful lien upon the goods,

(b) An offer in good faith to surrender, properly indorsed, the bill which was issued for the goods, if the bill is negotiable, and

(c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the carrier.

In case the carrier refuses or fails to deliver the goods in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure.

§ 12. A carrier is justified, subject to the provisions of the three following sections, in delivering goods to one who is—

(a) A person lawfully entitled to the possession of the goods, or

(b) The consignee named in a non-negotiable bill for the goods, or

(c) A person in possession of a negotiable bill for the goods by the terms of which the goods are deliverable to his order, or which has been endorsed to him or in blank by the consignee or by the mediate or immediate indorsee of the consignee.

§ 13. Where a carrier delivers goods to one who is not lawfully entitled to the possession of them, the carrier shall be liable to any one having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by subdivisions (b) and (c) of the preceding section; and, though he delivered the goods as authorized by either of said subdivisions, he shall be so liable if prior to such delivery he—

(a) Had been requested, by or on behalf of a person having a right of property or possession in the goods, not to make such delivery, or

(b) Had information at the time of the delivery that it was to a person not lawfully entitled to the possession of the goods.

A request or information to be effective within the meaning of this section must be given to an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a request or information, and must be given in time to enable the officer or agent to whom it is given, acting with reasonable diligence, to stop delivery of the goods.

§ 14. Except as provided in section 27, and except when compelled by legal process, if a carrier delivers goods for which a negotiable bill

had been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to any one who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier, and notwithstanding delivery was made to the person entitled thereto.

§ 15. Except as provided in section 27, and except when compelled by legal process, if a carrier delivers part of the goods for which a negotiable bill had been issued and fails either—

(a) To take up and cancel the bill, or

(b) To place plainly upon it a statement that a portion of the goods has been delivered, with a description, which may be in general terms, either of the goods or packages that have been so delivered or of the goods or packages which still remain in the carrier's possession, he shall be liable for failure to deliver all the goods specified in the bill, to any one who for value and in good faith purchases it, whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

§ 16. Any alteration, addition or erasure in a bill after its issue without authority from the carrier issuing the same, either in writing or noted on the bill, shall be void, whatever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor.

§ 17. Where a negotiable bill has been lost or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient surety to be approved by the court to protect the carrier or any person injured by such delivery from any liability or loss, incurred by reason of the original bill remaining outstanding. The court may also in its discretion order the payment of the carrier's reasonable costs and counsel fees.

The delivery of the goods under an order of the court as provided in this section, shall not relieve the carrier from liability to a person to whom the negotiable bill has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

§ 18. A bill upon the face of which the word "duplicate" or some other word or words indicating that the document is not an original bill is placed plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants that such bill is an accurate copy of an original bill properly issued, but no other liability.

§ 19. No title to goods or right to their possession, asserted by a carrier for his own benefit, shall excuse him from liability for refusing to deliver the goods according to the terms of a bill issued for them, unless such title or right is derived directly or indirectly from a transfer made by the consignor or consignee after the shipment, or from the carrier's lien.

§ 20. If more than one person claims the title or possession of goods, the carrier may require all known claimants to interplead, either as a defense to an action brought against him for non-delivery of the goods, or as an original suit, whichever is appropriate.

§ 21. If some one other than the consignee or person in possession of the bill, has a claim to the title or possession of the goods, and the carrier has information of such claim, the carrier shall be excused from liability for refusing to deliver the goods either to the consignee or person in possession of the bill, or to the adverse claimant, until the carrier has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

§ 22. Except as provided in the two preceding sections and in section 12, no right or title of a third person unless enforced by legal process shall be a defence to an action brought by the consignee of a non-negotiable bill or by the holder of a negotiable bill against the carrier for failure to deliver the goods on demand.

§ 23. If a bill of lading has been issued by a carrier or on his behalf by an agent or employé the scope of whose actual or apparent authority includes the issuing of bills of lading, the carrier shall be liable to—

- (a) The consignee named in a non-negotiable, or
- (b) The holder of a negotiable bill,

Who has given value in good faith relying upon the description therein of the goods, for damages caused by the non-receipt by the carrier or a connecting carrier of all or part of the goods or their failure to correspond with the description thereof in the bill at the time of its issue.

If, however, the goods are described in a bill merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind or quantity, or in a certain condition, or it is stated in the bill that packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition of the contents of packages are unknown, or words of like purport are contained in the bill, such statements, if true, shall not make liable the carrier issuing the bill, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in the condition they were said to be by the consignor. The carrier may, also, by inserting in the bill the words "shipper's load and count" or other words of like purport, indicate that the goods were loaded by the shipper and the description of them made by him; and if such statement be true, the carrier shall not be liable for damages caused by the improper loading or by the non-receipt or by the mis-description of the goods described in the bill.

§ 24. If goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner and a negotiable bill is issued for



them, they cannot thereafter, while in the possession of the carrier, be attached by garnishment or otherwise, or be levied upon under an execution, unless the bill be first surrendered to the carrier or its negotiation enjoined. The carrier shall in no such case be compelled to deliver the actual possession of the goods until the bill is surrendered to him or impounded by the court.

§ 25. A creditor whose debtor is the owner of a negotiable bill shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such bill, or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which can not readily be attached or levied upon by ordinary legal process.

§ 26. If a negotiable bill is issued the carrier shall have no lien on the goods therein mentioned, except for charges on those goods for freight, storage, demurrage and terminal charges, and expenses necessary for the preservation of the goods or incident to their transportation subsequent to the date of the bill, unless the bill expressly enumerates other charges for which a lien is claimed. In such case there shall also be a lien for the charges enumerated so far as they are allowed by law and the contract between the consignor and the carrier.

§ 27. After goods have been lawfully sold to satisfy a carrier's lien, or because they have not been claimed, or because they are perishable or hazardous, the carrier shall not thereafter be liable for failure to deliver the goods to the consignee or owner of the goods, or to a holder of the bill given for the goods when they were shipped, even if such bill be negotiable.

§ 28. A negotiable bill may be negotiated by delivery where, by the terms of the bill, the carrier undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the bill has indorsed it in blank.

§ 29. A negotiable bill may be negotiated by the indorsement of the person to whose order the goods are deliverable by the tenor of the bill. Such indorsement may be in blank or to a specified person. If indorsed to a specified person, it may be negotiated again by the indorsement of such person in blank or to another specified person. Subsequent negotiation may be made in like manner.

§ 30. A bill may be transferred by the holder by delivery, accompanied with an agreement, express or implied, to transfer the title to the bill or to the goods represented thereby.

A non-negotiable bill can not be negotiated, and the indorsement of such a bill gives the transferee no additional right.

§ 31. A negotiable bill may be negotiated by any person in possession of the same, however such possession may have been acquired if, by the terms of the bill, the carrier undertakes to deliver the goods to the order of such person, or if at the time of negotiation the bill is in such form that it may be negotiated by delivery.



§ 32. A person to whom a negotiable bill has been duly negotiated acquires thereby—

(a) Such title to the goods as the person negotiating the bill to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the consignee and consignor had or had power to convey to a purchaser in good faith for value, and

(b) The direct obligation of the carrier to hold possession of the goods for him according to the terms of the bill as fully as if the carrier had contracted directly with him.

§ 33. A person to whom a bill has been transferred but not negotiated acquires thereby as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor. If the bill is non-negotiable, such person also acquires the right to notify the carrier of the transfer to him of such bill, and thereby to become the direct obligee of whatever obligations the carrier owed to the transferor of the bill immediately before the notification.

Prior to the notification of the carrier by the transferor or transferee of a non-negotiable bill, the title of the transferee to the goods and the right to acquire the obligation of the carrier may be defeated by garnishment or by attachment or execution upon the goods by a creditor of the transferor, or by a notification to the carrier by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

A carrier has not received notification within the meaning of this section unless an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a notification, has been notified; and no notification shall be effective until the officer or agent to whom it is given has had time with the exercise of reasonable diligence to communicate with the agent or agents having actual possession or control of the goods.

§ 34. Where a negotiable bill is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the bill, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made. This obligation may be specifically enforced.

§ 35. A person who negotiates or transfers for value a bill by indorsement or delivery, including one who assigns for value a claim secured by a bill, unless a contrary intention appears, warrants—

(a) That the bill is genuine,

(b) That he has a legal right to transfer it,

(c) That he has knowledge of no fact which would impair the validity or worth of the bill, and

(d) That he has a right to transfer the title to the goods, and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a bill the goods represented thereby.

In the case of an assignment of a claim secured by a bill, the liability of the assignor shall not exceed the amount of the claim.

§ 36. The indorsement of a bill shall not make the indorser liable for any failure on the part of the carrier or previous indorsers of the bill to fulfill their respective obligations.

§ 37. A mortgagee or pledgee, or other holder of a bill for security who in good faith demands or receives payment of the debt for which such bill is security, whether from a party to a draft drawn for such debt or from any other person, shall not be deemed by so doing to represent or to warrant the genuineness of such bill or the quantity or quality of the goods therein described.

§ 38. The validity of the negotiation of a bill is not impaired by the fact that such negotiations [negotiation] was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the bill was deprived of the possession of the same by fraud, accident, mistake, duress or conversion, if the person to whom the bill was negotiated, or a person to whom the bill was subsequently negotiated, gave value therefor, in good faith, without notice of the breach of duty or fraud, accident, mistake, duress or conversion.

§ 39. Where a person having sold, mortgaged, or pledged goods which are in a carrier's possession and for which a negotiable bill has been issued, or having sold, mortgaged, or pledged the negotiable bill representing such goods, continues in possession of the negotiable bill, the subsequent negotiation thereof by that person under any sale, pledge, or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, shall have the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

§ 40. Where goods are shipped by the consignor in accordance with a contract or order for their purchase, the form in which the bill is taken by the consignor shall indicate the transfer or retention of the property or right to the possession of the goods as follows:

(a) Where by the bill the goods are deliverable to the buyer or to his agent, or to the order of the buyer or of his agent, the consignor thereby transfers the property in the goods to the buyer.

(b) Where by the bill the goods are deliverable to the seller or to his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of securing performance by the buyer of his obligations under the contract.

(c) Where by the bill the goods are deliverable to the order of the buyer or his agent, but possession of the bill is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods, as against the buyer.

(d) Where the seller draws on the buyer for the price and transmits the draft and bill together to the buyer to secure acceptance or payment of the draft, the buyer is bound to return the bill if he does not honor the draft, and if he wrongfully retains the bill he acquires no added right thereby. If, however, the bill provides that the goods are deliverable to the buyer, or to the order of the buyer, or is endorsed in blank or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill or goods from the buyer, shall obtain the title to the goods, although the draft has not been honored, if such purchaser has received delivery of the bill indorsed by the consignee named therein, or of the goods, without notice of the facts making the transfer wrongful.

§ 41. Where the seller of goods draws on the buyer for the price of the goods and transmits the draft and a bill of lading for the goods either directly to the buyer or through a bank or other agency, unless a different intention on the part of the seller appears, the buyer and all other parties interested shall be justified in assuming:

(a) If the draft is by its terms or legal effect payable on demand or presentation or at sight, or not more than three days thereafter (whether such three days be termed days of grace or not), that the seller intended to require payment of the draft before the buyer should be entitled to receive or retain the bill.

(b) If the draft is by its terms payable on time, extending beyond three days after demand, presentation or sight (whether such three days be terms [termed] days of grace or not), that the seller intended to require acceptance, but not payment of the draft before the buyer should be entitled to receive or retain the bill.

The provisions of this section are applicable whether by the terms of the bills the goods are consigned to the seller, or to his order, or to the buyer, or to his order, or to a third person, or to his order.

§ 42. Where a negotiable bill has been issued for goods, no seller's lien or right of stoppage *in transitu* shall defeat the rights of any purchaser for value in good faith to whom such bill has been negotiated, whether such negotiation be prior or subsequent to the notification to the carrier who issued such bill of the seller's claim to a lien or right of stoppage *in transitu*. Nor shall the carrier be obliged to deliver or justified in delivering the goods to an unpaid seller unless such bill is first surrendered for cancellation.

§ 43. Except as provided in section 42, nothing in this Act shall limit the rights and remedies of a mortgagee or lienholder whose mortgage or lien on goods would be valid, apart from this Act, as against one who for value and in good faith purchased from the owner, immediately prior to the time of their delivery to the carrier, the goods which are subject to the mortgage or lien and obtained possession of them.

§ 44. Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill knowing that all or any part



of the goods for which such bill is issued have not been received by such carrier, or by an agent of such carrier or by a connecting carrier, or are not under the carrier's control at the time of issuing such bill, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

§ 45. Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

§ 46. Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a duplicate or additional negotiable bill for goods in violation of the provisions of section 7, knowing that a former negotiable bill for the same goods or any part of them is outstanding and uncanceled, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

§ 47. Any person who ships goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable bill which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

§ 48. Any person who with intent to deceive negotiates or transfers for value a bill knowing that any or all of the goods which by the terms of such bill appear to have been received for transportation by the carrier which issued the bill, are not in the possession or control of such carrier, or of a connecting carrier, without disclosing this fact, by causing said fact to be endorsed shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

§ 49. Any person who with intent to defraud secures the issue by a carrier of a bill knowing that at the time of such issue, any or all of the goods described in such bill as received for transportation have not been received by such carrier, or an agent of such carrier or a connecting carrier, or are not under the carriers control, by inducing an officer, agent, or servant of such carrier falsely to believe that such goods have been received by such carrier, or are under its control, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.



§ 50. Any person who with intent to defraud issues or aids in issuing a non-negotiable bill without the words "not negotiable" placed plainly upon the face thereof, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment in the State penitentiary not exceeding five years or by a fine not exceeding five thousand dollars, or by both.

§ 51. In any case not provided for in this Act the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent, executors, administrators and trustees, and to effect of fraud, misrepresentation, duress or coercion, accident, mistake, bankruptcy, or other invalidating cause, shall govern.

§ 52. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

§ 53. (1) In this Act, unless the context or subject matter otherwise requires—

"Action" includes counter claim, set-off, and suit in equity.

"Bill" means bill of lading.

"Consignee" means the person named in the bill as the person to whom delivery of the goods is to be made.

"Consignor" means the person named in the bill as the person from whom the goods have been received for shipment.

"Goods" means merchandise or chattels in course of transportation, or which have been or are about to be transported.

"Holder" of a bill means a person who has both actual possession of such bill and a right of property therein.

"Order" means an order by indorsement on the bill.

"Owner" does not include mortgagee or pledgee.

"Person" includes a corporation or partnership or two or more persons having a joint or common interest.

To "purchase" includes to take as mortgagee and to take as pledgee.

"Purchaser" includes mortgagee and pledgee.

"Value" is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a bill is taken either in satisfaction thereof or as security therefor.

(2) A thing is done "in good faith," within the meaning of this Act, when it is in fact done honestly, whether it be done negligently or not.

§ 54. The provisions of this Act do not apply to bills made and delivered prior to the taking effect thereof.

§ 55. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 56. This Act may be cited as the Uniform Bills of Lading Act.

APPROVED June 5, 1911.

## CORPORATIONS.

## EXTENSION OF CORPORATE EXISTENCE.

§ 1. Meeting of stockholders.

§ 2. Notice of meeting.

§ 3. Manner of voting—two-thirds necessary.

§ 4. Certificate of vote filed—fees—extension accomplished.

(HOUSE BILL NO. 448. APPROVED JUNE 9, 1911.)

AN ACT *authorizing the extending of the term of duration of corporations in certain cases.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* MEETING OF STOCKHOLDERS.] That any corporation existing by virtue of any general law of this State, or any corporation hereafter organized by virtue of any law of this State upon the stock plan for a period less than ninety-nine years, at any time before the expiration thereof, may extend the term of its existence beyond the time specified in its original certificate of incorporation, or in any certificate of extension of corporate existence, for a period not to exceed ninety-nine years from date of original incorporation, whenever two-thirds of the stockholders of any such corporation may desire, and it shall be the duty of the board of directors, or managers thereof, to submit the question of such extension to a vote of the stockholders at any annual, or a special meeting of such stockholders to be called and held as herein provided.

§ 2. NOTICE OF MEETING.] Such special meeting shall be called by delivering personally or depositing in the postoffice, at least thirty days before the time fixed for such meeting, a notice properly addressed to each stockholder, signed by a majority of said directors, or managers, stating the time, place and object of such meeting and a general notice of the time, place and object of such meeting shall also be published within the county wherein the principal office of said corporation is located.

§ 3. MANNER OF VOTING—TWO-THIRDS NECESSARY.] At any such meeting the stockholders may vote in person, or by proxy, each stockholder being entitled to one vote for each share of stock held by him, and votes representing two-thirds of all the stock of the corporation shall be necessary for the adoption of the proposed change of the term of corporate duration.

§ 4. CERTIFICATE OF VOTE FILED—EXTENSION ACCOMPLISHED.] If at any regular annual meeting, or at the time and place specified in said notice of a special meeting called for that purpose, the proposition to extend the term of corporate existence be submitted to a vote, and if it shall appear that two-thirds of all the votes represented by the whole stock of such corporation are in favor of the proposition so submitted, a certificate thereof, verified by the affidavit of the president and under seal of said corporation, shall be filed in the office of the

Secretary of State, and a like certificate filed for record in the office of the recorder of deeds of the county where the principal business office of such corporation is located. And upon the filing of said certificate and the payment of the same fees as is provided for in the incorporation of a new company, the change proposed and voted for at such meeting as to extending the corporate duration of said corporation shall be and is hereby declared accomplished, in accordance with the vote of the stockholders, and said corporation shall be deemed and taken to be extended in all courts and places whatsoever.

APPROVED June 9, 1911.

#### FOREIGN CORPORATIONS—LOCATION, ATTORNEY, ETC.

§ 1. Amends section 3, Act of 1905.

§ 3. As amended provides for agent anywhere in State for service of process.

(HOUSE BILL NO. 672. APPROVED MAY 31, 1911.)

AN ACT to amend section three (3) of "An Act entitled, 'An Act to regulate the admission of foreign corporations for profit, to do business in the State of Illinois,' approved May 18, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section three (3) of "An Act entitled, 'An Act to regulate the admission of foreign corporations for profit, to do business in the State of Illinois,' approved May 18, 1905, in force July 1, 1905, [1905], be and the same is hereby amended to read as follows:

§ 3. Every foreign corporation admitted to do business in the State of Illinois under the provisions of this Act shall constantly keep on file in the office of the Secretary of State an affidavit of the president and secretary, showing the location of its principal business office in the State of Illinois, and the name and address of some person who may be found in this State, for the purpose of accepting service upon said corporation, in all suits that may be commenced against it, and as often as said corporation shall change the location of its office, or its attorney for receiving and accepting service, a new affidavit shall be filed to take the place of all such affidavits previously filed by the officers of said corporation. Such corporation when admitted to do business in the State of Illinois, under this Act, shall be required to make such reports from time to time as are required to be made by similar corporations organized under the laws of this State and all regulations now in force or hereafter imposed upon domestic corporations, shall be alike observed and complied with by all foreign corporations doing business in this State.

No foreign corporation admitted to do business in this State under the provisions of this Act shall hold any real estate except such as may be necessary for the proper carrying on of its legitimate business, nor

be permitted to mortgage, pledge or encumber its real or personal property situated in this State to the injury or exclusion of any citizen or corporation of this State who is creditor of such foreign corporation and no mortgage by any foreign corporation, except railroad and telegraph companies, given to secure any debt created in any other state shall take effect as against any citizen or corporation of this State until all of its liabilities due any person or corporation of this State at the time of recording such mortgage, shall have been fully paid and extinguished. Before any foreign corporation shall be authorized to do business in this State it shall be required to pay into the office of the Secretary of State upon the proportion of its stock represented by its property and business in Illinois, fees equal to those required of similar corporations formed within and under the laws of this State.

APPROVED May 31, 1911.

FRATERNAL AND BENEVOLENT SOCIETIES UNDER SPECIAL ACTS.

§ 1. Authorizes holding property and borrowing money.

(SENATE BILL NO. 10. APPROVED JUNE 2, 1911.)

*AN ACT to enable fraternal and benevolent societies incorporated by special Acts of the General Assembly to take and hold property and borrow money needful and proper to serve and accomplish the purposes of their organization to the same extent as similar societies incorporated not for pecuniary profit under the general incorporation laws of this State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in any case where any fraternal or benevolent society or association has been incorporated by any special Act of the General Assembly of Illinois, and where in the special Act under which the same is incorporated or in any amendment thereto there is any limitation as to the amount of value of real estate or personal property which such incorporated body or any of its constituent or subordinate bodies may hold or any limitation as to the amount of money which such fraternal or benevolent society or association may borrow, that notwithstanding any such limitation, such incorporated body or any of its constituent or subordinate bodies may hold real or personal property and may borrow money of whatever amount or value may be needful, suitable and proper to serve and accomplish the purpose of its organization, and to provide for them respectively suitable places of meeting and entertainment and accommodations for their officers and members to the same extent that societies for similar purposes and organized not for pecuniary profit under the general incorporation laws of the State may own and hold property, both real and personal.

APPROVED June 2, 1911.



## COUNTIES.

## COUNTY AUDITOR IN CERTAIN COUNTIES.

§ 1. County auditor — term — nomination — election — qualification — oath — vacancy.

§ 3. Duties.

[§ 4.] Repeal.

§ 2. Compensation — office room.

(HOUSE BILL NO. 333. APPROVED JUNE 10, 1911.)

AN ACT to create the office of county auditor in counties under township organization of over seventy-five thousand (75,000) inhabitants and under three hundred thousand (300,000), to provide for his nomination, election, term of office, salary and to define his duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all counties under township organization, containing less than three hundred thousand (300,000) and over seventy-five thousand (75,000) inhabitants by the last federal census, there is hereby created the office of county auditor, whose term of office shall be four (4) years and until his successor is elected and qualified. The nomination and election shall be subject to the general election laws of the State, and he shall be elected each four years, beginning with the November election of 1912, and shall take office the first Monday of the following December. His qualifications and oath of office shall be the same as apply to other county officers. In case of a vacancy in the office of county auditor caused by death, resignation or removal from office, the vacancy shall be filled as provided for filling vacancies of other county officers.

§ 2. The compensation, office room and furnishings of the county auditor shall be determined and fixed by the county board as in manner provided for other county officers, and shall be paid out of the county treasury, by order of the county board.

§ 3. The duties of the county auditor shall be as follows:

(a) To audit all claims against the county of whatsoever character, and recommend to the county board the payment or rejection of all bills presented.

(b) It shall also be the duty of said auditor to collect and preserve statistical information with respect to cost of maintenance of the various institutions of the counties to which this Act applies, such as county farms, county jails, workhouses and court houses, or any other institution maintained at county expense.

(c) It shall be the duty of the auditor to approve all orders for supplies issued by the various county officers, before the orders are to be placed with the parties to whom the same are to be given.

(d) It shall be the duty to keep a record of all contracts entered into by the county board and all authorized county officers, for or on behalf of the county.

(e) It shall be the duty of the county auditor to report quarterly to the county board all fees and emoluments due the county from the various county officers as earned, collected or received under performance to their duties.

[§ 4.] (f) All Acts or parts of Acts in conflict herewith are hereby repealed.

APPROVED June 10, 1911.

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COUNTY BOARDS—EMPLOYMENT OF STENOGRAPHERS.

§ 1. Authorizes county boards to employ and pay stenographers. | § 2. Acts legalized.

(HOUSE BILL No. 556. APPROVED MAY 25, 1911.)

AN ACT *authorizing and empowering county boards to employ and pay a stenographer, and to legalize and make valid the acts of county boards heretofore done in employing and paying stenographers.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the county boards of the several counties of this State shall have power to employ and pay a stenographer.

§ 2. That all Acts heretofore done by county boards in employing and paying stenographers are hereby legalized and made valid, anything in any law of this State to the contrary notwithstanding.

APPROVED May 25, 1911.

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COUNTY BOARDS—FUNDS FOR COUNTY FAIR EXHIBITS.

Authorizes appropriation of funds for certain exhibits at county fair—limitation.

(HOUSE BILL No. 285. APPROVED MAY 25, 1911.)

AN ACT *to empower the board of supervisors in counties under township organization or the board of county commissioners in counties not under township organization, to appropriate funds for educational or agricultural exhibits at county fairs.*

*Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the board of supervisors in counties under township organization or the board of county commissioners in counties not under township organization, shall have power to appropriate funds to be used for educational or agricultural exhibits at the county fair held annually in their county: *Provided, however,* that the amount so appropriated shall not exceed, in any one year, the sum of three hundred dollars.

APPROVED May 25, 1911.

## COUNTY BOARDS—FUNDS FOR FARMERS' INSTITUTES.

§ 1. Appropriations for farmers' institutes—limitation.

(HOUSE BILL No. 149. APPROVED JUNE 5, 1911.)

AN ACT *to enable county boards of supervisors in counties under township organization and county commissioners in counties not under township organization, to appropriate county funds for use of county farmers' institutes.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be lawful for county boards of supervisors in counties under township organization, and for county commissioners in counties not under township organization, to appropriate funds from the county treasury for use of county farmers' institutes in their efforts to promote the adoption of the latest approved methods of crop production, the improvement of live stock, the conservation of soil fertility, and the improvement of agricultural conditions generally: Provided, that in no case shall it be lawful for a county board to appropriate more than three hundred dollars (\$300.00) in any one year for the above purposes.*

APPROVED June 5, 1911.

## COURT HOUSES—LEASE OF SPACE.

§ 1. Authorizes lease of space in court houses. | § 2. Emergency.

(HOUSE BILL No. 171 APPROVED MAY 27, 1911.)

AN ACT *entitled, "An Act to authorize boards of county commissioners or boards of supervisors, as the case may be, to lease space in court houses (not needed for county purposes) to the State or any court thereof, to cities, villages, towns, sanitary districts or other municipal corporations."*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That whenever it shall appear to any board of county commissioners or board of supervisors that there is space in the court house of the county governed by such board of county commissioners, or board of supervisors, not needed for county purposes, it shall be lawful for such board of county commissioners or board of supervisors, as the case may be, to lease any such space to the State or any court thereof, to any city, village, town, sanitary district or other municipal corporation for such period of time and upon such terms as may seem just and equitable to such board of county commissioners or board of supervisors, as the case may be.*

§ 2. WHEREAS, An emergency exists, this Act shall take effect from and after its passage.

APPROVED May 27, 1911.

## POWERS OF COUNTIES—AGRICULTURAL EXPERIMENTS.

§ 1. Amends section 24, Act of 1874.

§ 24. As amended, adds sixth paragraph relating to real estate, buildings, etc., for agricultural experiments.

(SENATE BILL NO. 57. APPROVED JUNE 6, 1911.)

AN ACT to amend section 24 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by an Act approved April 26, 1909, in force July 1, 1909, and by adding thereto a paragraph to be known as sixth.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 24 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874; as amended by an Act approved April 26, 1909, in force July 1, 1909, be and the same is hereby amended, "by adding thereto a paragraph to be known as sixth," so as to read as follows:

§ 24. Each county shall have power—

*First*—To purchase and hold the real and personal estate necessary for the uses of the county, and to purchase and hold, for the benefit of the county, real estate sold by virtue of judicial proceedings in which the county is plaintiff.

*Second*—To sell and convey or lease any real or personal estate owned by the county.

*Third*—To make all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers.

*Fourth*—To take all necessary measures and institute proceedings to enforce all laws for the prevention of cruelty to animals.

*Fifth*—To purchase and hold real estate upon which may be erected and maintained by the county a sanitarium for the care and treatment of residents of the county who may be afflicted with tuberculosis; and to purchase, hold and use all necessary personal property for the proper care and maintenance of such real estate and sanitarium.

*Sixth*—To purchase and hold or lease real estate upon which may be erected and maintained buildings to be utilized for purposes of agricultural experiments and to purchase, hold and use personal property for the care and maintenance of such real estate in connection with such experimental purposes.

APPROVED June 6, 1911.



## POWERS OF COUNTIES—HOSPITALS.

§ 1. Amends section 24, Act of 1874.

§ 24. As amended, adds sixth paragraph relating to hospitals.

(HOUSE BILL NO. 434. APPROVED JUNE 6, 1911.)

AN ACT to amend section 24 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by Act approved April 26, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 24 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by Act approved April 26, 1909, in force July 1, 1909, be and the same hereby is amended to read as follows:

§ 24. Each county shall have power—

*First*—To purchase and hold the real and personal estate necessary for the uses of the county, and to purchase and hold, for the benefit of the county, real estate sold by virtue of judicial proceedings in which the county is plaintiff.

*Second*—To sell and convey or lease any real or personal estate owned by the county.

*Third*—To make all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers.

*Fourth*—To take all necessary measures and institute proceedings to enforce all laws for the prevention of cruelty to animals.

*Fifth*—To purchase and hold real estate upon which may be erected and maintained by the county a sanitarium for the care and treatment of the residents of the county who may be afflicted with tuberculosis; and to purchase, hold and use all necessary personal property for the proper care and maintenance of such real estate and sanitarium.

*Sixth*—To cause to be erected, or otherwise provided, suitable buildings for, and maintain a county hospital and necessary branch hospitals for the care of such sick as may by law be proper charges upon the county, and to provide for the management of the same.

APPROVED June 6, 1911.

## COURTS.

## APPELLATE COURTS—ASSISTANT JUDGES.

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|---|--|
| § 1. Appointment by Supreme Court of persons to aid appellate judges. | § 3. Residence and compensation of appointees. |
| § 2. Termination of employment.                                       | § 4. Work directed by appellate judges.        |

(HOUSE BILL No. 145. APPROVED MAY 29, 1911.)

AN ACT *to aid in a more speedy disposition of the business of the appellate courts.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the judges of the Supreme Court be and they are hereby authorized and empowered, whenever, in their opinion, the speedy disposition of the business of any appellate court of this State will be promoted thereby, to employ such number of competent persons as they may deem necessary, not exceeding three in any one district, to aid the judges of such appellate court in the disposition of the business of such court. Such employment may be made by a certificate in writing to that effect to be signed by a majority of the judges of the Supreme Court and filed in the office of the Auditor of Public Accounts.

§ 2. The employment provided for in the preceding section of any one or more of the persons so employed may be terminated at any time by an order signed by a majority of the judges of the Supreme Court and filed in the office of the Auditor of Public Accounts, and such employment shall not continue in any event beyond the first day of July, A. D. 1913.

§ 3. The persons so employed shall be residents of the respective districts in and for which they are employed and shall receive for their services a compensation equal to the salary and compensation of the judges of the circuit courts in their respective districts which salary and compensation shall be payable in the same manner as the salary and compensation of said judges of the circuit court, that is to say, such compensation to the persons employed in the second, third and fourth appellate court districts shall be five thousand dollars (\$5,000) per annum and shall be payable in quarterly installments out of the State treasury and such compensation of the persons employed in the first district shall be ten thousand dollars (\$10,000) per annum and shall be payable in quarterly installments, one-half out of the State treasury and one-half out of the county treasury of Cook county.

§ 4. The persons so employed shall perform such work as they may be directed to perform by the judges of the appellate court of the district in which they are employed.

APPROVED May 29, 1911.

## APPELLATE COURTS—BRANCH COURTS.

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|---|---|
| § 1. Clerk to report number of cases to Supreme Court.<br>§ 2. Assignment of circuit judges—organization of branch court—proceedings. | § 3. Application of Act of 1877.<br>§ 4. Number of cases pending at expiration of term—assignments—judges to resume duty.<br>§ 5. Compensation. |
|---|---|

(HOUSE BILL NO. 104. APPROVED JUNE 6, 1911.)

AN ACT *providing for the creation of additional branch appellate courts.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The clerk of each appellate court shall report in writing to the Supreme Court, whenever so directed by the judges of the appellate court of which he is clerk, the number of cases docketed and pending and subject to hearing and determination at that term of said appellate court.

§ 2. Whenever the number of cases reported as pending and subject to hearing and determination in any appellate court shall exceed the number of 250 for that appellate court and for each branch thereof then existing and the judges of such appellate court or a majority of them shall in writing so request the Supreme Court, it shall be the duty of the Supreme Court to forthwith designate and assign three other judges of the circuit courts of the State or of the superior court of Cook county to duty in said appellate court. The three additional judges so designated shall, as soon as practicable, meet, organize and constitute an additional branch of the appellate court to which they shall have been assigned to duty, and the branch so constituted shall proceed to hear and determine, according to law and justice and the rules of said appellate court, all such cases and matters as shall or may be assigned to it by said appellate court, not exceeding in number its fair proportion of causes pending in said appellate court.

§ 3. All the provisions made for branch appellate courts by an Act entitled, "An Act to amend an Act entitled, 'An Act to establish appellate courts,'" approved June 2, 1877, and providing for the creation of branch appellate courts, approved and in force June 2, 1897, shall thereupon apply to any such additional branch appellate court established under this Act.

§ 4. Whenever the term for which judges are assigned to duty in any branch appellate court shall expire, the Supreme Court shall, before assigning any judges to duty in such branch appellate court, require the clerk to certify to it the number of cases pending and undetermined in such appellate court; and the Supreme Court shall not assign any judges to duty in any branch appellate court if the number of cases so reported pending shall not exceed 250 for said appellate court and for each branch thereof existing before making such assignment. Whenever any branch appellate court appointed under this Act shall have determined all cases and matters assigned to it by the appellate court of the district in which said branch court shall be constituted, it shall be the duty of

the judges of such branch court to return to their usual judicial duties until the next succeeding term of said appellate court and until requested by said appellate court to resume duty in said branch court, and when so requested by said appellate court, it shall be their duty forthwith to resume and perform duty in their branch court.

§ 5. Whenever any judge residing in a county having a population of less than 150,000 shall be assigned or required by the Supreme Court to serve as a judge in an appellate court sitting in a county having a population of more than 150,000, there shall be paid to such judge, out of the county treasury of the county in which is held the appellate court to which he is assigned, for his reasonable expenses, not to exceed the sum of \$15.00 a day for the time he shall actually spend in the county to which he is so assigned in hearing and determining cases in such appellate court, or any branch thereof, to which he has been so assigned.

APPROVED June 6, 1911.

#### APPELLATE COURTS—TERMS.

§ 1. Amends section 2, Act of 1877.

§ 2. As amended, changes terms in third district.

(SENATE BILL NO. 22. APPROVED MAY 29, 1911.)

AN ACT to amend section two (2) of an Act entitled, "An Act to establish appellate courts," approved June 2, 1877, in force July 1, 1877, as amended by an Act approved April 22, 1899, in force July 1, 1899, as amended by an Act approved June 5, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section two (2) of an Act entitled, "An Act to establish appellate courts," approved June 2, 1877, in force July 1, 1877, as amended by an Act approved April 22, 1899, in force July 1, 1899, as amended by an Act approved June 5, 1909, in force July 1, 1909, be amended so as to read as follows:

§ 2. The terms of said appellate courts shall be held in the several districts as follows: In the first district, at the city of Chicago, on the first Tuesdays in March and October in each year; in the second district, at Ottawa, in LaSalle county, on the first Tuesdays in April and October in each year; in the third district, at Springfield, on the first Tuesdays in April and October in each year; in the fourth district, at Mt. Vernon, on the fourth Tuesdays in March and October in each year.

All cases now or hereafter taken to said appellate courts, and all processes of every nature and kind that would stand for hearing or be returnable to any of said terms as now fixed by law shall stand for hearing and be returnable to the first term of said court in each district, respectively, as fixed by this Act.

APPROVED May 29, 1911.



## CITY COURTS—COMPENSATION OF CLERK.

§ 1. Amends section 7, Act of 1901.

§ 7. As amended, allows per diem fee of six dollars for attendance upon court.

(SENATE BILL NO. 213. APPROVED JUNE 10, 1911.)

AN ACT to amend section 7 of an Act entitled, "An Act in relation to courts of record in cities," approved May 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 7 of an Act entitled, "An Act in relation to courts of record in cities," approved May 10, 1901, in force July 1, 1901, be amended to read as follows:

§ 7. There shall be elected in like manner as judges are elected, for each of such courts a clerk who shall hold his office for a term of four years, and until his successor shall be elected and qualified. He shall be commissioned, have the same powers, perform the same duties, be subject to the same liabilities, and be entitled to like fees as are now, or may hereafter, from time to time, be provided by law in regard to circuit clerks, in the county in which said city may be situated, and a per diem fee of six dollars for attendance upon said court, which per diem fee shall be paid by the city in which said court is situated. Vacancies in such offices shall be filled, for the unexpired term, at a special election to be called and held by the same authority and in the same manner that other city elections may be held, where such unexpired term exceeds one year; but where the same does not exceed one year, such vacancy shall be filled by appointment by the judge of the court: *Provided*, that a clerk, *pro tempore*, may be appointed by the judge thereof, when necessary.

APPROVED June 10, 1911.

## CLERKS OF COURTS—VACANCIES.

§ 1. Amends section 11, Act of 1874.

§ 11. Vacancies—*pro tem.* clerks.

(SENATE BILL NO. 282. APPROVED JUNE 5, 1911.)

AN ACT to amend section eleven of an Act entitled, "An Act to revise the law in relation to clerks of courts," approved March 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section eleven of an Act entitled, "An Act to revise the law in relation to clerks of courts," approved March 25, 1874, in force July 1, 1874, be amended so as to read as follows:

§ 11. VACANCIES—PRO TEM. CLERKS.] When a vacancy occurs in the office of clerk of any court of record created by statute only, and other than the Supreme Court, the circuit court, the superior court of Cook county, the county court, the court or the judge or judges thereof,

shall appoint a clerk *pro tempore*, who shall qualify by giving bond, and taking the oath as required by law of the clerk of such court; and thereupon such appointee shall perform all the duties required of a duly elected clerk of such court, and shall receive like emoluments, and shall hold such office until some person shall be elected at the next general election of officers for such county, or grand division, as the case may be, and shall qualify according to law to fill such vacancy. It shall be the duty of the officer whose duty it shall be to issue the call for such general election, to provide therein for the election of a clerk to fill such vacancy, to be nominated as provided by law.

APPROVED June 5, 1911.

COUNTY COURTS—KANKAKEE COUNTY.

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|--------------------------------------|--|
| § 1. Amends section 54, Act of 1874. | § 2. Return of writs—no suit to abate. |
| § 54. Terms in Kankakee county.      | § 3. Emergency.                        |

(SENATE BILL NO. 203. APPROVED JUNE 7, 1911.)

AN ACT to amend section 54 of an Act entitled, "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 54 of an Act entitled, "An Act to extend jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named;" approved March 26, 1874, in force July 1, 1874, be and the same is amended to read as follows:

§ 54. Kankakee, in February, April, June, August and November.

§ 2. All summonses, subpoenas, writs, bonds, recognizances, venires, papers and processes of any kind whatever, made and served for or returnable to the several terms of court, at such times as such terms are required to be held by the law in force immediately prior to the time this Act shall take effect, shall be deemed and taken, and shall have the same force and effect as if the same had been made and served for or returnable to the first term of court to be held in said county as fixed by this Act, and no action, suit, cause or proceeding now pending in any of the county courts shall be abated by force of the provisions of this Act.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED June 7, 1911.

## COUNTY COURTS—MADISON COUNTY.

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|--------------------------------------|-----------------|
| § 1. Amends section 68, Act of 1874. | § 2. Repeal.    |
| § 68. Terms in Madison county.       | § 3. Emergency. |

(HOUSE BILL NO. 237. APPROVED MARCH 24, 1911.)

AN ACT to amend section sixty-eight (68) of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixty-eight (68) of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874, be and the same hereby is amended so as to read as follows:

§ 68. Madison, second Mondays in February, May and October.

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

§ 3. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED March 24, 1911.

## COUNTY COURTS—ROCK ISLAND.

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|--------------------------------------|-----------------|
| § 1. Amends section 89, Act of 1874. | § 2. Emergency. |
| § 89. Terms in Rock Island county.   |                 |

(SENATE BILL NO. 11. APPROVED MARCH 20, 1911.)

AN ACT to amend section 89 of an Act entitled, "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 89 of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874, be and the same is hereby amended to read as follows:

§ 89. Rock Island on the first Monday in February, April, June, August, October and December.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED March 20, 1911.

## COUNTY COURTS—VERMILION COUNTY.

§ 1. Amends section 99, Act of 1874.

§ 2. Emergency.

[§ 99.] Terms in Vermilion  
county.

(SENATE BILL NO. 63. APPROVED MAY 6, 1911.)

AN ACT to amend section 99 of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, etc.," approved March 26th, 1874, in force July 1st, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 99 of an Act entitled, "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time of holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1st, 1874, be and the same is hereby amended to read as follows:

[§ 99]. Vermilion, on the first Mondays of February, April, June and November.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED May 6, 1911.

## COURTS OF CHANCERY—BILLS.

§ 1. Amends section 50, Act of 1872.

§ 50. Bills to construe wills,  
appoint trustees, con-  
firm titles, etc.

(HOUSE BILL NO. 184. APPROVED JUNE 5, 1911.)

AN ACT to amend section 50 of an Act entitled, "An Act to regulate the practice in courts of chancery," approved March 15, 1872, and in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 50 of an Act entitled, "An Act to regulate the practice in courts of chancery," approved March 15, 1872, and in force July 1, 1872, be and the same are [is] hereby amended to read as follows:

§ 50. The court may hear and determine bills to construe wills, notwithstanding no trust or questions of trust or other questions are involved therein; and hear and determine bills to appoint trustees, and authorize trustees to lease, mortgage and sell, improve, exchange and invest any portion or all of any trust estate, or to do any other act or thing, or exercise any power and discretion which is necessary for the conservation, preservation, protection or betterment of said estate during any period of contingency pending a contingent remainder or executory devise or otherwise; and may also hear and determine bills to quiet title, and to remove clouds from the title to real estate, and bills to establish and confirm titles to real estate or incumbrance thereon, whether the lands in controversy are improved or occupied, or unimproved or unoccupied; and the taking possession of such lands, after the com-



mencement of suit by the party claiming the title or the adverse title, or any one under or through such person or persons shall not in anywise affect the complainant's right to a final decree upon his bill.

APPROVED June 5, 1911.

COURTS OF RECORD—UNCLAIMED MONEY.

§ 1. Disposition of unclaimed money. | § 2. Repeal—proviso.

(SENATE BILL NO. 36. APPROVED JUNE 5, 1911.)

AN ACT *to provide for the disposition of money in the control of courts of record which is unclaimed or where there is no person to whom the same can be paid.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* When any money remains in the hands of any officer of any court of record which has been judicially determined to be payable to any specified person, or to any unknown heir, devisee, legatee or owner, or the person to whom the same is adjudged to be paid is non-resident or cannot be found or refuses to receive said money, or is an infant or insane or under any other disability and has no guardian or conservator to whom the same may lawfully be paid, or for any other reason payment cannot be made to the person adjudged entitled thereto, the court having jurisdiction of such money may direct such officer to pay the same to the county treasurer of the county in which such court is held, and to deliver to such county treasurer a certified copy of such order; and it shall be the official duty of such county treasurer to receive such money, and the official duty of such county treasurer and his successor in office to hold said money in trust for the person entitled thereto, and subject to the further order of said court. The person entitled to the money, or his legal representative, may thereafter obtain an order from said court in said cause for the payment of said money, without interest, by the county treasurer to such person, upon satisfactory proof to the court that he is the person lawfully entitled thereto. It shall be the official duty of the county treasurer to obey such order, when presented with a certified copy thereof.

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed: *Provided, however,* that such repeal shall not invalidate the deposit of any money made by order of any court before the time when this Act takes effect.

APPROVED June 5, 1911.

## MUNICIPAL COURT OF CHICAGO—CIVIL SERVICE, ETC.

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| <p>§ 1. Amends sections 8, 15 and 17, and adds sections 14a and 14b, Act of 1905.</p> <p>§ 8. Chief justice and associates—duties—reports—vacations—daily attendance—assistants under civil service—salaries—powers—meetings—rules.</p> <p>§ 14a. Officers and employés under civil service Act of 1895—application of provisions.</p> | <p>§ 14b. Classification—members—heads of departments.</p> <p>§ 15. Deputy clerks under city civil service Act—salaries—charges—bond—oath—number reduced.</p> <p>§ 17. Deputy bailiffs under city civil service Act—salaries—bonds—<i>ex officio</i> police officers—special deputies.</p> <p>§ 2. Submission of Act to electors—form of ballot.</p> <p>§ 3. Adoption of Act—interpretation.</p> |
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(HOUSE BILL NO. 166. APPROVED JUNE 9, 1911.)

AN ACT to amend sections 8, 15 and 17 of an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, in force July 1, 1905; submitted to the voters of the city of Chicago at the election held November 7, 1905, and adopted, and as amended by Act approved June 3, 1907, in force July 1, 1907; adopted at election held September 17, 1907, and to further amend said Act, as amended, by adding thereto two additional sections to be known respectively as sections 14a and 14b.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 8, 15 and 17 of an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, in force July 1, 1905; submitted to the voters of the city of Chicago at the election held November 7, 1905, and adopted as amended by Act approved June 3, 1907, in force July 1, 1907; adopted at election held September 17, 1907, be amended and that said Act as amended, be further amended by adding thereto two additional sections to be known respectively as sections 14a and 14b, which said sections as hereby amended and said additional sections shall read as follows:

§ 8. That said municipal court shall consist of twenty-eight (28) judges, one of whom shall be chief justice and the remaining twenty-seven (27) of whom shall be associate judges. Each branch court shall be presided over by a single judge of the municipal court. The chief justice, in addition to the exercise of all the other powers of a judge of said court, shall have the general superintendence of the business of said court; he shall preside at all meetings of the judges, and shall assign the associate judges to duty in the branch courts, from time to time, as he may deem necessary for the prompt disposition of the business thereof, and it shall be the duty of each associate judge to attend and serve at any branch court to which he may be so assigned, but the chief justice shall only assign such number of judges to the trial and disposition of cases of the first class and cases of the second class

mentioned in section two (2) of this Act, from time to time, as may not be needed for the prompt disposition of the other business of the court. The chief justice shall also superintend the preparation of the calendars of cases for trial in said court and shall make such classification and distribution of the same upon different calendars as he shall deem proper and expedient. Each associate judge shall, at the commencement of each month, make to the chief justice, under his official oath, a report in writing of the duties performed by him during the preceding month, which report shall specify the number of days' attendance in court of such judge during such month, and the branch courts upon which he has attended, for which the chief justice shall cause suitable blanks to be prepared and furnished to the associate judges. Each judge shall be entitled to vacations, which shall not exceed forty-six days in all in one year, and which shall be taken at such time as may be determined by the chief justice. The chief justice must give his attention faithfully to the discharge of the duties especially pertaining to his office and to the performance of such additional judicial work as he may be able to perform. Each associate judge must perform his share of the labors and duties appertaining to the office. At least one associate judge must be in attendance in one branch court in each district three hours of each day, except Sunday, a public holiday, or a day upon which the inhabitants of the city of Chicago generally refrain from business, and each associate judge, while in the court room or in chambers, and not actually engaged in the performance of other official duties, must act upon any application for his official action properly made to him, and at least one judge must be in attendance at some convenient branch court in the first district from half-past seven o'clock p. m. to twelve o'clock midnight, on each day of the week, except Sunday, for the hearing and disposition of such criminal and *quasi* criminal business as may be brought before him. The chief justice shall appoint in accordance with the city civil service Act such number of assistants, not exceeding four, as he may deem necessary, whose salaries shall be fixed by the majority of the judges: *Provided*, that the salaries of two of said assistants shall not exceed four thousand dollars (\$4,000) each per annum, and that the salaries of the remaining two of said assistants shall not exceed eighteen hundred dollars (\$1,800) each per annum. Said assistants shall have power to administer oaths and shall perform such duties as may be required of them by the chief justice, but shall not exercise any judicial powers. It shall be the duty of the chief justice and the associate judges to meet together at least once in each month, excepting the month of August, in each year, at such hour and place as may be designated by the chief justice, and at such other times as may be required by the chief justice, for the consideration of such matters pertaining to the administration of justice in said court as may be brought before them. At such meetings they shall receive and investigate, or cause to be investigated, all complaints, presented to them pertaining to the said court, and to the officers thereof,

and shall take such steps as they may deem necessary or proper with respect thereto, and they shall have the power and it shall be their duty to adopt or cause to be adopted all such rules and regulations for the proper administration of justice in said court as to them may seem expedient.

The salary of the chief justice shall be ten thousand dollars (\$10,000) per annum, and the salary of the associate judges shall be nine thousand [dollars] (\$9,000) per annum: *Provided*, that the salary of no judge shall be increased or diminished during the term for which he shall be elected. Such salaries shall be payable in monthly installments out of the city treasury.

§ 14a. That all offices and places of employment, except the offices which are filled by election, in the municipal court of the city of Chicago, shall be deemed to be offices and places of employment in such city within the meaning of section 3 of the Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and Acts amendatory thereto, hereinafter called the city civil service Act, and subject to the provisions of such city civil service Act, so far as the same can be made applicable and to all future amendments thereof, and for the purpose of applying said city civil service Act to the service of the municipal court hereby intended to be covered, its provisions, whenever not literally applicable to such service, shall be applied to such service by analogy according to the spirit and purpose thereof, subject to the provisions hereinafter contained.

§ 14b. That within ninety days after the adoption of this Act in the manner hereinafter provided, the civil service commissioners of the city of Chicago shall classify all the offices and places of employment in the service of the municipal court, other than the offices which are filled by election, and all persons who on the date when this Act shall have been adopted shall hold office or employment in the service so directed to be classified, shall be deemed to be members of the classified service as though they had been appointed in accordance with the provisions of said city civil service Act and after examination. The chief justice, the clerk and the bailiff of the municipal court shall be deemed to be heads of departments within the meaning of said city civil service Act.

§ 15. That said clerk shall appoint in accordance with the city civil service Act, such number of deputies as may be determined, from time to time, by a majority of the judges of the municipal court by orders signed by them and spread upon the records of said court. The salaries of deputy clerks shall be fixed from time to time by orders signed by a majority of the judges of the municipal court and spread upon the records of the court, and shall be payable out of the city treasury in monthly installments: *Provided, however*, that the salary of the chief deputy clerk shall be four thousand dollars (\$4,000) per annum, and that the salary of not more than four additional deputy clerks, other than those who may be employed as shorthand reporters, shall not ex-



ceed eighteen hundred dollars (\$1,800) per annum. Such number of deputy clerks so appointed as the judges may deem necessary shall be competent shorthand reporters, capable of correctly taking down stenographically and transcribing the proceedings of courts and shall perform such duties with respect to attending upon and taking down stenographic reports of the proceedings of said court as may be required by the judges, and for making and furnishing transcripts of their stenographic reports aforesaid; said deputy clerks shall be allowed to make such reasonable charge, not exceeding fifteen cents per hundred words, to the parties to whom such transcripts are furnished, as may be determined by the judges, and the judges may, by an order signed by a majority of said judges and spread upon the records of said court, allow said deputy clerks, to retain, as additional compensation for their services, such proportion as the judges may deem reasonable of the charges so collected: *Provided*, that any such order shall be general and apply to all such deputy clerks, the balance of such charges to be accounted for by such deputy clerks in the same manner as costs collected by them. Such deputy clerks shall take the same oath or affirmation required of the clerk of said municipal court and shall give bonds to be approved by the chief justice of said court, conditioned as near as may be like the bond required by the clerk. Deputy clerks shall not be removed or discharged from office otherwise than in accordance with the provisions of the city civil service Act, but the number of deputy clerkships may be reduced at any time by an order signed by a majority of the judges of said municipal court and spread upon the records of said court.

§ 17. That said bailiff shall appoint in accordance with the city civil service Act, such number of deputies as may be determined, from time to time, by a majority of the judges of the municipal court by orders signed by them and spread upon the records of said court. The salaries of deputy bailiffs shall be fixed, from time to time by orders signed by a majority of the judges of the municipal court and spread upon the records of the court, and shall be payable out of the city treasury in monthly installments: *Provided, however*, that the salary of the chief deputy bailiff shall be four thousand dollars (\$4,000) per annum; that the salary of the assistant chief deputy bailiff and one other deputy bailiff shall be two thousand and five hundred dollars (\$2,500) each per annum; that the salary of the two other deputy bailiffs shall be two thousand dollars (\$2,000) each per annum and that the salary of no other deputy bailiff shall exceed two thousand dollars (\$2,000) per annum. Such deputy bailiffs shall take the same oath or affirmation required of the bailiff of said municipal court, and shall give bonds to be approved by the chief justice of said court conditioned, as near as may be, like the bond required of the bailiff. The bailiff and deputy bailiffs of the municipal court shall be *ex officio* police officers of the city of Chicago. Deputy bailiffs shall not be removed or discharged from office otherwise than in accordance with the provisions of said city civil service Act, but the number of deputy bailiffs may be reduced at any

time by an order signed by a majority of the judges of said municipal court and spread upon the records of said court. Every police officer of the city of Chicago shall be *ex officio* a deputy bailiff of the municipal court, and shall perform, from time to time, such duties in respect to cases within the jurisdiction of said court as may be required of him by said court or any judge thereof. The bailiff may appoint a special deputy to serve any summons issued out of the municipal court, by indorsement thereon substantially as follows: "I hereby appoint..... my special deputy to serve the within writ," which shall be dated and signed by the bailiff. Such special deputy shall make return of the time and manner of service of such writ, under his oath, and for making a false return he shall be guilty of perjury and be punished accordingly.

§ 2. That this Act shall be submitted to a vote of the legal voters of the city of Chicago at the first regular municipal, judicial, general or special election which shall occur in said city of Chicago after the first day of July, A. D. 1911. The ballots to be used in said election in voting upon this Act shall be in substantially the following form:

For consenting to an Act entitled, "An Act to amend sections 8, 15, and 17 of an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905, in force July 1, 1905," submitted to the voters of the city of Chicago at the election held November 7, 1905, and adopted and as amended by Act approved June 3, 1907, in force July 1, 1907, adopted at election held September 17, 1907, and to further amend said Act, as amended by adding thereto two additional sections, to be known, respectively, as sections 14a and 14b," which Act provides, among other things, for civil service in the municipal court.

Against consenting to an Act entitled, "An Act to amend sections 8, 15 and 17 of an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905, in force July 1, 1905, submitted to the voters of the city of Chicago at the election held November 7, 1905, and adopted, and as amended by Act approved June 3, 1907, in force July 1, 1907, adopted at election held September 17, 1907, and to further amend said Act, as amended by adding thereto two additional sections, to be known, respectively, as sections 14a and 14b," which Act provides, among other things, for civil service in the municipal court.

§ 3. Upon this Act taking effect and becoming operative as provided in section 2 above, it shall control and supersede any other provisions of law contradictory thereto, or in conflict therewith contained in any Act that may be submitted to and adopted by the electors of the city of Chicago at the same time that this Act is submitted to and adopted by said electors.

If a majority of the legal voters of said city voting on the question at said election shall vote in favor of consenting to this Act, the same shall thereupon take effect and become operative.

APPROVED June 9, 1911.

## MUNICIPAL COURT OF CHICAGO—REVISION.

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| <p>§ 1. Amends sections 2, 8, 14, 16, 17, 22, 28, 29, 30, 32, 48, 62 and 63, and adds section 50e, Act of 1905.</p> <p>§ 2. Jurisdiction—classes.</p> <p>§ 8. Chief justice and associates—duties—reports—meetings—vacations—daily attendance—assistants—salaries—rules and regulations.</p> <p>§ 14. Clerk—election—term—duties—office hours—deputy clerks—bonds—oath—vacancy—salary.</p> <p>§ 16. Bailiff—term—duties—office hours—oath—bond—vacancy—salary.</p> <p>§ 17. Deputy bailiffs—salary—oath—<i>ex officio</i> police officers—special deputies.</p> <p>§ 22. Appeals and writs of error—all cases reviewed as like cases in city courts—proceedings.</p> <p>§ 28. Cases of first class—how commenced and prosecuted.</p> | <p>§ 29. Cases of fourth class—how brought and prosecuted.</p> <p>§ 30. Trial by court—demand in writing for trial by jury—non-suit.</p> <p>§ 32. Filing of interrogatories—answer under oath.</p> <p>§ 48. Practice in cases of attachment, etc., in cases of fourth class—exceptions.</p> <p>§ 50e. Issue of warrant, <i>capias</i> or writ of attachment by judge in criminal or <i>quasi</i> criminal case.</p> <p>§ 62. Records of court—forms, etc.—duty and power of chief justice.</p> <p>§ 63. Execution and enforcement of judgments, orders and decrees as in circuit court—exceptions—judgment docket.</p> <p>§ 2. Repeals sections 23 and 38.</p> <p>§ 3. Submission of Act to electors—form of ballot.</p> |
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(HOUSE BILL NO. 615. APPROVED JUNE 10, 1911.)

AN ACT to amend an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, as amended by an Act approved June 3, 1907, entitled, "An Act to amend an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905."

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections two (2), eight (8), fourteen (14), sixteen (16), seventeen (17), twenty-two (22), twenty-eight (28), twenty-nine (29), thirty (30), thirty-two (32), forty-eight (48), sixty-two (62), and sixty-three (63) of an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, as amended by an Act approved June 3, 1907, entitled, "An Act to amend an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905," be and the same are hereby amended, and that said Act, as amended, be and it is hereby further amended by adding thereto one (1) additional section to be known as section 50E, which said sections as hereby amended and said additional section shall read as follows:

§ 2. Said municipal court shall have jurisdiction in the following cases:

*First*—Cases to be designated and hereinafter referred to as cases of the first class, which shall include (a) all actions on contracts, express



or implied, and actions on judgments when the amount claimed by the plaintiff, exclusive of costs, exceeds one thousand dollars (\$1,000); (b) all actions of replevin, proceedings for the trial of the right of property and all other actions for the recovery of personal property when the value of the property sought to be recovered as claimed by the plaintiff exceeds one thousand dollars (\$1,000); and (c) all actions for the recovery of damages for the conversion of personal property, and actions for the recovery of damages for injuries to personal property, when the amount of damages sought to be recovered, as claimed by the plaintiff, exclusive of the costs, exceeds one thousand dollars (\$1,000).

*Second*—Cases to be designated and hereinafter referred to as cases of the second class, which shall include all suits of every kind and nature whether civil or criminal, or whether at law or in equity, which may be transferred to it, by a change of venue, or otherwise, by the circuit court of Cook county, the superior court of Cook county, or the criminal court of Cook county, for trial and disposition.

*Third*—Cases to be designated and hereinafter referred to as cases of the third class, which shall include all criminal cases in which the punishment is by fine or imprisonment otherwise than in the penitentiary, and all other criminal cases which the laws in force from time to time may permit to be prosecuted otherwise than on indictment by a grand jury.

*Fourth*—Cases to be designated and hereinafter referred to as cases of the fourth class, which shall include (a) all civil actions, *quasi* criminal actions excepted, for the recovery of money only when the amount claimed by the plaintiff, exclusive of costs, does not exceed one thousand dollars (\$1,000); (b) all actions of replevin, proceedings for the trial of the right of property and all other actions for the recovery of personal property when the value of the property sought to be recovered does not exceed one thousand dollars (\$1,000); (c) all actions of forcible detainer; and (d) all actions and proceedings of which justices of the peace are now given jurisdiction by law and which are not otherwise provided for in this Act, in which class of actions and proceedings the municipal court shall have jurisdiction when the amount sought to be recovered does not exceed one thousand dollars (\$1,000). In any action of the fourth class for the recovery of money only judgment may be rendered for over one thousand dollars (\$1,000), when the excess over one thousand dollars (\$1,000) shall consist of interest or damages or costs accrued after the commencement of such action. Actions of attachment and distress for rent shall be deemed as of the first or fourth class, as may be determined by the amount sought to be recovered and not by the value of the property attached or distrained. The amount involved in any action on a bond shall be determined by the amount actually sought to be recovered and not by the penalty of the bond.

*Fifth*—Cases to be designated and hereinafter referred to as cases of the fifth class, which shall include all *quasi* criminal actions, excepting bastardy cases.



*Sixth*—Cases to be designated and hereinafter referred to as cases of the sixth class, which shall include (a) all proceedings for the prevention of the commission of crimes; (b) all proceedings for the arrest, examination, commitment and bail of persons charged with criminal offenses; (c) all proceedings pertaining to searches and seizures of personal property by means of search warrants, and (d) bastardy cases.

§ 8. That said municipal court shall consist of twenty-eight (28) judges, one of whom shall be chief justice and the remaining twenty-seven (27) of whom shall be associate judges. Each branch court shall be presided over by a single judge of the municipal court. The chief justice, in addition to the exercise of all the other powers of a judge of said court, shall have the general superintendence of the business of said court; he shall preside at all meetings of the judges, and shall assign the associate judges to duty in the branch courts, from time to time, as he may deem necessary for the prompt disposition of the business thereof, and it shall be the duty of each associate judge to attend and serve at any branch court to which he may be so assigned, but the chief justice shall only assign such number of judges to the trial and disposition of cases of the first class and cases of the second class mentioned in section two (2) of this Act, from time to time, as may not be needed for the prompt disposition of the other business of the court. The chief justice shall also superintend the preparation of the calendars of cases for trial in said court and shall make such classification and distribution of the same upon different calendars as he shall deem proper and expedient. Each associate judge shall, at the commencement of each month, make to the chief justice, under his official oath, a report in writing of the duties performed by him during the preceding month, which report shall specify the number of days' attendance in court of such judge during such month, and the branch courts upon which he has attended, for which the chief justice shall cause suitable blanks to be prepared and furnished to the associate judges. Each judge shall be entitled to vacations, which shall not exceed forty-six days in all in one year, and which shall be taken at such time as may be determined by the chief justice. The chief justice must give his attention faithfully to the discharge of the duties especially pertaining to his office and to the performance of such additional judicial work as he may be able to perform. Each associate judge must perform his share of the labors and duties appertaining to the office. At least one associate judge must be in attendance in one branch court in each district three hours of each day, except Sunday, a public holiday, or a day upon which the inhabitants of the city of Chicago generally refrain from business, and each associate judge, while in the court room or in chambers, and not actually engaged in the performance of other official duties, must act upon any application for his official action properly made to him, and at least one judge must be in attendance at some convenient branch court in the First district from half past seven o'clock p. m. to twelve o'clock, midnight, on each day of the week, except Sunday, for the

hearing and disposition of such criminal and *quasi* criminal business as may be brought before him. The chief justice may appoint such number of assistants, not exceeding four, as he may deem necessary, whose salaries shall be fixed by the majority of the judges: *Provided*, that the salaries of two of said assistants shall not exceed four thousand dollars (\$4,000) each per annum, and that the salaries of the remaining two of said assistants shall not exceed eighteen hundred dollars (\$1,800) each per annum. Said assistants shall have power to administer oaths and shall perform such duties as may be required of them by the chief justice, but shall not exercise any judicial powers. It shall be the duty of the chief justice and the associate judges to meet together at least once in each month, excepting the month of August, in each year, at such hour and place as may be designated by the chief justice, and at such other times as may be required by the chief justice, for the consideration of such matters pertaining to the administration of justice in said court as may be brought before them. At such meetings they shall receive and investigate, or cause to be investigated, all complaints presented to them pertaining to the said court, and to the officers thereof, and shall take such steps as they may deem necessary or proper with respect thereto, and they shall have the power and it shall be their duty to adopt or cause to be adopted all such rules and regulations for the proper administration of justice in said court as to them may seem expedient.

The salary of the chief justice shall be ten thousand dollars (\$10,000) per annum, and the salary of the associate judges shall be nine thousand dollars (\$9,000) per annum: *Provided*, that the salary of no judge shall be increased or diminished during the term for which he shall be elected. Such salaries shall be payable in monthly installments out of the city treasury.

§ 14. That there shall be a clerk of said municipal court whose term of office shall be six years and until his successor shall be elected and qualified and who shall be elected on the first Tuesday after the first Monday in November, A. D. 1906, and every six years thereafter. He shall perform, with respect to said municipal court, the duties usually performed by clerks of courts of record. He shall give his personal attention to the performance of the duties of his office. He shall maintain an office in each district, and each office shall be kept open for the transaction of business from half past eight o'clock a. m. to five o'clock p. m. of each working day during the year, excepting that on Saturdays the clerk may close such of his offices as he may deem proper at twelve o'clock m.: *Provided, however*, that for the purpose of receiving and filing papers and issuing writs and the performance of other work in criminal and *quasi* criminal cases, the chief justice may require the attendance, during additional hours of each day, of such number of deputy clerks as may be necessary for that purpose. The clerk shall maintain, in his principal office in the First district, a bureau of information, to which any attorney at law or any party to any suit in said court may

apply, either in person, or by telephone, or otherwise, for any information respecting the proceedings in such suit, or the papers filed therein, which such attorney or party may deem necessary and by means of which bureau such attorney or party may obtain such information without charge being made therefor: *Provided, however*, that the clerk shall not be personally responsible for any mistake made by any deputy clerk with respect to such information. Until otherwise provided by the rules which may be adopted under the provisions of this Act, the powers, duties and liabilities, the oath of office and the bond and conditions thereof of such clerk shall be the same, as near as may be, as those prescribed by law for clerks of courts by the Act entitled, "An Act to revise the law in relation to clerks of courts," approved March 25, 1874, and in force July 1, 1874. He shall be commissioned by the Governor. When a vacancy occurs in the office of the clerk and the unexpired term exceeds one year, the judges shall appoint a clerk *pro tempore*, who shall qualify by giving bond and taking the oath as required by law, of the clerk, and thereupon such appointee shall perform all the duties required of a duly elected clerk of said court, and shall receive a like salary, and shall hold such office until some person is elected and qualified according to law to fill such vacancy. Whenever any such vacancy occurs, the chief justice shall forthwith notify the Governor thereof, who, upon receiving such notice, shall, as soon thereafter as may be practicable, issue a writ of election, as in other cases. When a vacancy occurs in the office of the clerk and the unexpired term is less than one year, the judges shall appoint a clerk *pro tempore*, who shall qualify by giving bond and taking the oath as required by law of the clerk, and thereupon such appointee shall perform all the duties required of a duly elected clerk of said court and shall receive a like salary, and shall hold such office until some person is elected and qualified according to law to fill such vacancy. The salary of the clerk shall be as fixed by the city council until the first Monday of December, A. D. 1912, and thereafter it shall be nine thousand dollars (\$9,000.00) per annum. Such salary shall be payable in monthly installments out of the city treasury. All expenses incurred by the clerk for legal services rendered to him in matters relating to his official duties, and all expenses incident to proceedings in court brought by or against him in his official capacity shall be paid out of the city treasury.

§ 16. That there shall be a bailiff of said municipal court whose term of office shall be six (6) years and until his successor shall be elected and qualified and who shall be elected on the first Tuesday after the first Monday of November, A. D. 1906, and every six years thereafter. He shall perform with respect to said municipal court the duties usually performed by sheriffs in respect to attendance upon and service and execution of the process, and obedience of the lawful orders and directions of a circuit court. He shall give his personal attention to the performance of the duties of his office. He shall maintain an office in each district, and each office shall be kept open for the transaction of



business from half past eight a. m. to five o'clock p. m. of each working day during the year, excepting that on Saturdays the bailiff may close such of his offices as he may deem proper at twelve o'clock m. Until otherwise provided by the rules which may be adopted under the provisions of this Act, the powers, duties and liabilities, the oath of office and the bonds and conditions thereof of such bailiff shall be the same, as near as may be, as those prescribed by law for the sheriffs, with respect to attendance upon, and service and execution of the process, and obedience of the lawful orders and directions of a circuit court. He shall be commissioned by the Governor. When a vacancy occurs in the office of bailiff, and the unexpired term exceeds one year, the judges shall appoint a bailiff *pro tempore*, who shall qualify by giving bond and taking the oath as required by law of the bailiff, and thereupon such appointee shall perform all the duties required of a duly elected bailiff of said court, and shall receive a like salary, and shall hold such office until some person is elected and qualified according to law to fill such vacancy. Whenever any such vacancy occurs, the chief justice shall forthwith notify the Governor thereof, who, upon receiving such notice, shall, as soon thereafter as may be practicable, issue a writ of election, as in other cases. When a vacancy occurs in the office of bailiff, and the unexpired term is less than one year, the judges shall appoint a bailiff *pro tempore*, who shall qualify by giving bond and taking the oath required by law of the bailiff, and thereupon such appointee shall perform all the duties required of a duly elected bailiff of said court, and shall receive a like salary, and shall hold such office until some person is elected and qualified according to law to fill such vacancy. It shall be unnecessary to serve any process of summons upon the bailiff in any suit against him commenced in the municipal court. In lieu of the service of such process, the clerk shall notify the bailiff of the commencement of such suit, and the bailiff shall thereupon forthwith enter his appearance therein, such entry of appearance to be made without any advance payment of costs. The salary of the bailiff shall be as fixed by the city council until the first Monday of December, A. D. 1912, and thereafter it shall be nine thousand nine hundred and sixty dollars (\$9,960.00) per annum. Such salary shall be payable in monthly installments out of the city treasury. The bailiff may employ an attorney at a salary not exceeding three thousand dollars (\$3,000.00) per annum, which salary, together with all expenses incurred by the bailiff in prosecuting or defending suits brought by or against him in his official capacity, shall be paid out of the city treasury. And, in the event of the bailiff going out of office, or his death, resignation or removal, all suits commenced by him or against him, now pending in any court, and suits that may be commenced by or against him in his official capacity, shall be prosecuted or defended, as the case may be, by such bailiff, or his legal representatives, at the expense of the city of Chicago, and such expense, together with all costs of such suit, shall be paid out of the city treasury.



§ 17. That said bailiff shall appoint such number of deputies as may be determined, from time to time, by a majority of the judges of the municipal court, by orders signed by them and spread upon the records of said court. The salaries of deputy bailiffs shall be fixed, from time to time, by orders signed by a majority of the judges of the municipal court and spread upon the records of the court, and shall be payable out of the city treasury in monthly installments: *Provided, however,* that the salary of the chief deputy bailiff shall be four thousand dollars (\$4,000) per annum, and that the salary of the assistant chief deputy bailiff shall be two thousand five hundred dollars (\$2,500) per annum: *And, provided, further,* that the bailiff may appoint three additional deputy bailiffs; that the salary of one such deputy bailiff shall be two thousand five hundred dollars (\$2,500) per annum, and the salary of the remaining two of said deputy bailiffs shall be two thousand dollars (\$2,000) each per annum; and that the salary of no other deputy bailiff shall exceed two thousand dollars (\$2,000.00) per annum. Such deputy bailiffs shall take the same oath or affirmation required of the bailiff of said municipal court, and shall give bonds, to be approved by the chief justice of said court, conditioned, as near as may be, like the bond required of the bailiff. The bailiff and deputy bailiffs of the municipal court shall be *ex officio* police officers of the city of Chicago. Any deputy bailiff shall be subject to removal at any time by an order signed by a majority of the judges of the municipal court and spread upon the records of said court. Any deputy bailiff may likewise be removed by the bailiff: *Provided, however,* that any deputy bailiff so removed may be restored to his position by an order signed by a majority of the judges of said municipal court and spread upon the records of said court. The number of deputy bailiffs may be reduced at any time by an order signed by a majority of the judges of said municipal court and spread upon the records of said court. Every police officer of the city of Chicago and every police officer employed by any board of park commissioners whose territory is situated in whole or in part within said city, shall be *ex officio* a deputy bailiff of the municipal court and shall perform, from time to time, such duties in respect to criminal and *quasi* criminal cases within the jurisdiction of said court as may be required of him by said court or any judge thereof. The bailiff may appoint a special deputy to serve any summons issued out of the municipal court, by endorsement thereon substantially as follows: "I hereby appoint..... my special deputy to serve the within writ," which shall be dated and signed by the bailiff. Such special deputy shall make return of the time and manner of service of such writ, under his oath, and for making a false return, he shall be guilty of perjury and be punished accordingly.

§ 22. That the orders, judgments and decrees of the municipal court in all cases may be reviewed upon appeals to or writs of error from the appellate court and the Supreme Court in the same manner and upon the same terms, as near as may be, as the orders, judgments and decrees of city courts in like cases.

The time within which a writ of error may be sued out in any case of the fourth or fifth class shall be limited to thirty days after the entry of the final order or judgment complained of. Upon the suing out of any writ of error in any criminal case, capital cases excepted, and the filing of the same in the municipal court, the municipal court may, in its discretion, admit any defendant to bail pending the determination of such writ of error. But no appeal shall be allowed in any case unless the same be prayed for within twenty days after the entry of the order, judgment or decree appealed from, and no assignment of error in the Supreme Court or in the appellate court in any case shall be allowed which shall call in question the decision of the municipal court in respect to any matter pertaining to the practice in said court: *Provided, however,* that the Supreme Court or the appellate court, as the case may be, may grant relief from any error of the municipal court in respect to a matter of practice therein in any case where, in the opinion of the Supreme Court or appellate court, such relief is necessary to prevent a failure of justice.

No order or judgment sought to be reviewed shall be reversed unless the Supreme Court or appellate court, as the case may be, shall be satisfied, from the record in said cause, that such order or judgment is contrary to the law or the evidence or that such order or judgment resulted from substantial errors of said municipal court directly affecting the matters at issue between parties, in which last mentioned case the Supreme Court or appellate court, as the case may be, may enter such order or judgment as, in its opinion, the municipal court ought to have entered, or it may reverse the said order or judgment and remand the case to the municipal court for further proceedings. Any party to any case of the fourth or fifth class against whom there has been rendered any final order or judgment of the municipal court and who shall desire to obtain a review of such final order or judgment by a writ of error and who shall, for that purpose, also desire a stay of execution, may, upon suing out of the Supreme Court or appellate court, as the case may be, a writ of error in such case and filing the same in the municipal court, obtain from the municipal court a stay of execution of such order or judgment for ninety (90) days after the entry thereof by the giving of a bond with a sufficient surety or sureties to be approved by a judge of the municipal court conditioned for the due prosecution of such writ of error and otherwise, as near as may be, as an appeal bond in case of an appeal from a similar order or judgment of a circuit court is required to be conditioned. No such bond, however, need be given in any case if the party suing out such writ of error shall not desire a stay of execution. No other or further stay of proceedings or execution in any such case shall be allowed by the municipal court, but the Supreme Court or the appellate court, or any judge thereof, may allow a supersedeas as in other cases, but upon the allowance of any supersedeas, when any bond has been given as above provided, no additional bond shall be required, and such supersedeas shall be oper-

ative until the final determination of such writ of error. The party suing out any writ of error within thirty days after the entry of the order or judgment sought to be reviewed shall not be required to serve upon the opposite party any *scire facias* to hear errors, but in lieu thereof shall, within five days after the issuance of the writ of error, file the same with the clerk of the municipal court, and make to the Supreme Court or the appellate court, as the case may be, proof of such filing, and such writ of error so filed shall be notice to the opposite party of the suing out and prosecution of such writ of error.

No exceptions to the rulings or decisions of the municipal court on any matter whatever, which appear to have been made against the objection of the party complaining thereof, shall be necessary to the right of any party to a review of such rulings or decisions in the appellate or Supreme Court upon their merits, but it shall be the duty of the appellate or Supreme Court, as the case may be, to decide such case upon its merits, notwithstanding no exceptions were taken in the municipal court.

The evidence admitted and offered on the hearing of any motion or matter or on the trial of any cause in the municipal court, the rulings of the court thereon and any other proceedings not otherwise of record may be made matter of record for review by the appellate or Supreme Court, by being embodied in a statement of facts. Said statement of facts may be the stipulation of parties as to such facts as are deemed necessary or material to a proper review of the cause, a complete stenographic or other report of all said evidence, rulings and proceedings, or such abstract or abridgment thereof as is deemed sufficient for a proper review of the cause. Said statement of facts may contain a stipulation as to part of the facts, a complete stenographic or other report as to other facts, or as to the testimony of certain witnesses, and an abstract or abridgment as to still other facts or as to the testimony of other witnesses. Concise statements of questions of law arising on any of said facts and the decisions of the court thereon may be inserted in said statement of facts. The originals of affidavits, depositions and exhibits, or copies thereof, may be inserted in said statement of facts, or may accompany the same and be identified by proper reference. Said statement of facts shall have attached thereto a certificate, signed by the judge before whom said proceedings were had, or otherwise, as provided in this section, authenticating the same as a statement of the facts in said cause, and where said statement is not a complete report as aforesaid, said certificate shall certify that said statement contains all such facts as are necessary or material to a proper review of said cause, or as are necessary or material to a proper review of certain questions involved in said cause. Said statement of facts shall be prepared and tendered to the judge for certification by the party desiring the review of any cause in the appellate or Supreme Court, within thirty days after the entry of the final judgment, order or decree of the municipal court. But the time to file such statement of facts may be extended by succes-



sive orders of court, provided application for such extension shall be made during said thirty days or during any extension of the time to file the same. Any party deeming said statement of facts insufficient may prepare and tender a supplemental statement of facts for certification within such time as may be allowed by order of court entered within thirty days after the filing of the original statement of facts. Any such statement of facts or supplemental statement of facts shall be deemed sufficiently authenticated if signed by the judge before whom the cause was tried, or the matter in question occurred, and in case the judge before whom the cause was tried is, by reason of death, sickness, expiration of term of office, or other disability, unable to hear and pass upon a motion for a new trial in the cause and sign a statement of facts, or unable to settle said statement of facts and sign the same, then any other judge of the municipal court, if the evidence in such case is taken in stenographic notes, or if said judge is satisfied by any other means that he can pass upon such motion and allow a true statement of facts, shall pass upon said motion and allow and sign such statement of facts; and his ruling upon such motion and allowance and signing of such statement of facts shall be as valid as if such ruling and allowance and signing had been made by the judge before whom such cause was tried. But if said judge is satisfied that owing to the fact that he did not preside at the trial, or for any other cause he cannot fairly pass upon said motion and allow and sign said statement of facts, then he may, in his discretion, grant a new trial to the party moving therefor. Such statement of facts, instead of a copy, shall be incorporated in any transcript of record to be filed in the Supreme or appellate court, and upon the final determination of the cause in such court [shall] be remitted to the municipal court.

§ 28. That, until otherwise provided by the rules of the municipal court, cases of the first class mentioned in section two (2) of this Act shall be commenced and prosecuted in said municipal court in the same manner in which similar suits and proceedings are required to be commenced and prosecuted in the circuit courts, except as is herein otherwise prescribed, and excepting also in the following particulars:

*First*—The summons, when the first process is a summons, or the writ when the first process is a writ, shall be directed to the bailiff to execute and shall be returnable upon some Monday at least five days, and not more than twenty days, after the date thereof.

*Second*—Service of such summons or writ shall be made by delivering a copy thereof to the defendant, if an individual, and informing him of the contents thereof; an incorporated company may in cases of the first class, be served with process by leaving a copy thereof with its president, if he can be found in the city of Chicago, or if the president cannot be found in the city of Chicago, then by leaving a copy of the process with any clerk, secretary, superintendent, general agent, cashier, director, engineer, conductor, station agent or any agent of said company found in the city of Chicago. The receiver or receivers of any incorporated



company, or a trustee or trustees operating, managing or controlling a railway may, in cases of the first class, be served by leaving a copy of such process with any clerk, secretary, superintendent, general agent, engineer, conductor, station agent or any agent in the employ of such receiver, receivers, trustee or trustees, who may be found in the city of Chicago.

*Third*—Notice to the defendant by publication may be given under like circumstances and in the same manner as is provided by law for similar cases in the circuit courts, but the notice published, in lieu of stating the time of the return of the summons or writ, shall state the date on or before which the defendant is required to appear, which date shall be some Monday not less than thirty or more than sixty days after the date of the first publication of notice, as the plaintiff may require.

*Fourth*—No such suit shall be commenced in the municipal court unless the defendant, if there be but one defendant, resides or is found within the city of Chicago, or if the defendant be a corporation, unless its principal office is within said city; but if the defendant be a corporation not having a principal office in the city of Chicago, such suit may be brought in the municipal court wherever service of process may be had within the city upon any officer, agent or employé of such corporation upon whom service of process might be had if issued in a suit commenced in the circuit court.

*Fifth*—The provisions of paragraph fourth above, shall not apply to attachment suits, replevin suits or cases of distress for rent, where it shall appear by affidavit filed in the cause or by the return of the officer having the writ that the defendant is not a resident of this State, or has departed from this State, or on due inquiry cannot be found, or is concealed within this State so that process cannot be served upon him and such suits may be brought in the municipal court when any property of the defendant is levied upon, or distrained, or any garnishee resides or is found within the city of Chicago, or, if the suit be a replevin suit, when the property sued for is replevied within the city of Chicago.

*Sixth*—When there are several defendants, one of whom resides or is found or is served with process in the city of Chicago, a summons or writ may be issued to the sheriff of Cook county for any defendant residing or to be found in said county, but outside of the city of Chicago, or to the sheriff of any other county for any defendant residing or to be found in such other county, and service of any summons or writ so issued shall be made in the same manner as herein required in the case of a summons or writ directed to the bailiff: *Provided, however,* that no judgment shall, in any case, be rendered against any defendant served with process outside of the city of Chicago, unless judgment be also rendered against a defendant served within said city of Chicago.

*Seventh*—The plaintiff shall file his declaration within three days after the commencement of the suit, in default whereof the suit shall be dismissed unless the court by an order entered in said suit shall extend the time for filing such declaration.

*Eighth*—The defendant shall, in case he shall have been served with process or summons, or with the writ, three days or more prior to the return day thereof, enter his appearance on or before such return day and shall demur or plead to the declaration or the complaint on or before the Monday succeeding such return day; but in case the summons or writ shall have been served less than three days prior to the return day the defendant shall not be required to enter his appearance until on or before the first Monday succeeding such return day and shall not be required to plead to the declaration or complaint until on or before the second Monday after such return day. In case the time for filing the declaration or complaint shall be extended by the court, the time for the defendant to demur or plead to the same shall be extended until the second Monday succeeding the expiration of such extension of time. The time within which the defendant is required to demur or plead may be extended by the court in its discretion. In case the defendant shall fail to enter his appearance or to demur or plead within the time thus required, the plaintiff shall be entitled to judgment by default.

*Ninth*—The judges of said municipal court may, by rules adopted in the manner prescribed by this Act, provide that the practice in cases of the first class shall be the same as in this Act provided for cases of the fourth class. But all cases provided for in this section shall be commenced, prosecuted and disposed of in the First district.

§ 29. That cases of the fourth class mentioned in section two (2) of this Act shall be brought and prosecuted in the district in which the defendant, or one of the defendants, if there is more than one defendant, resides or is found. If the defendant be a corporation having its principal office in the city of Chicago, in the district in which its principal office is located; but if the defendant be a corporation not having a principal office in the city of Chicago, suit may be brought in any district where process can be served on the president, clerk, secretary, superintendent, general agent, cashier, director, engineer, conductor, station agent, or any agent of said company, found in that district. Service may be had upon any incorporated company, by leaving a copy of the process with its president, if he can be found in the city of Chicago, or if the president cannot be found in the city of Chicago, then by leaving a copy of the process with any clerk, secretary, superintendent, general agent, cashier, director, engineer, conductor, station agent, or any agent of said company found in the city of Chicago. The receiver or receivers of any incorporated company, or a trustee or trustees operating, managing or controlling a railway, may be served by leaving a copy of such process with any clerk, secretary, superintendent, general agent, engineer, conductor, station agent, or any agent in the employ of such receiver, receivers, trustee or trustees, who may be found in the city of Chicago. If, in any such case, there is more than one defendant and one defendant resides or is found

within the district in which suit is brought or is properly served with process therein, the process of such municipal court may be served upon the remaining defendant or defendants at any place within said city of Chicago. But no suit against the city of Chicago or any other municipal corporation shall be brought in any other than the first district. If, in any case where there is more than one defendant, process is duly served upon one or more defendants and returned not served as to another defendant or other defendants, the suit shall proceed as in like cases in the circuit court. But the requirements that the defendant, if there be but one defendant, or one of the defendants if there be more than one defendant, must reside or be found within the district in which such suit is brought, shall not apply to attachment suits, replevin suits or cases of distress for rent, which suits may be brought in any district when any property of the defendant is found, levied upon, replevied or distrained within such district, or any garnishee resides or is found in such district, and service of process may be had on any defendant, or defendants, anywhere in the city of Chicago, nor shall it apply to forcible entry and detainer suits, which suits may be brought in any district in which the property, the possession of which is sought to be recovered, is situated, and service of process may be had anywhere in the city of Chicago, and notice may be given in the manner prescribed by this Act. When, upon the complaint of any defendant, it shall be made to appear to the municipal court in any district, that the suit has been improperly brought therein, the court shall not be required on that account to dismiss the suit, if the municipal court in any district could properly have jurisdiction thereof, but in such case the court may cause such suit to be transferred to the proper district and the court in the district to which the same is transferred shall proceed therewith as if the same had been originally commenced in said district: *Provided, however,* that the court may, in its discretion, require the plaintiff to pay the costs of the defendant paid by him prior to such transfer: *And, provided, further,* that whenever a trial by jury is demanded in any case, whether civil, criminal or *quasi* criminal, the court may, in its discretion, direct the trial of said cause to be had in the First district, and for that purpose may cause said case to be transferred to the First district, to be there tried and disposed of.

§ 30. That every suit at law in the municipal court other than a case of the second class, or a case of the third class, or a case of the fifth class, or a bastardy case, mentioned in section two (2) of this Act, shall be tried by the court without a jury unless the plaintiff, at the time he commences his suit, or the defendant at the time he enters his appearance, shall file with the clerk a demand in writing of a trial by jury, which demand, however, may be withdrawn by the party filing the same at any time before the trial. Every civil suit at law of the second class shall be tried by the court without a jury unless the respective parties, or one of them, shall, at the time of entering their or his appear-



ance in the municipal court, file with the clerk a demand in writing of a trial by jury. If the plaintiff shall have demanded a trial by jury as herein provided, the suit shall be tried by jury unless both parties shall waive the same. Every person desirous of suffering a non-suit, shall be barred therefrom unless he do so before the jury retires from the bar, or, if the case is tried before the court without a jury, before the case is submitted for final decision.

§ 32. That the municipal court in any civil suit pending therein at any time before trial or final hearing, may permit the filing therein of interrogatories to be answered by any party to such suit, or any person for whose immediate benefit such suit is prosecuted or defended, or by the directors, officers, superintendent, or managing agents of any corporation which is a party to the record of the suit, at the instance of the adverse party or parties, or any of them, and may require an answer under oath to all such interrogatories as the party to be interrogated might be required to answer if called as a witness upon the trial or hearing of such suit, but the party filing such interrogatories shall not be concluded by the answers thereto if he shall elect to introduce the same, or any or either of them, upon the trial or final hearing. If the plaintiff or plaintiffs fail or refuse to answer sufficiently interrogatories propounded to them by the defendant or defendants when so ordered to do by the court, the court may dismiss the suit, or if the defendant or defendants have pleaded a set-off the court may enter judgment against the plaintiffs upon the affidavits of the defendants to their set-off. If the defendant or defendants fail or refuse to answer sufficiently interrogatories propounded to them by the plaintiff or plaintiffs when ordered so to do by the court, the court may strike their pleadings from the files and enter judgment as in case of default, upon the plaintiff's affidavit of claim. Or the court may proceed by contempt proceedings against either such party refusing to answer.

§ 48. That the practice and proceedings in the municipal court, in cases of attachment, garnishment, replevin, distress for rent, and forcible detainer, included within the cases of the fourth class mentioned in section two (2) of this Act, shall be the same, as near as may be, as that which is now prescribed by law for similar cases in other courts of record, except as otherwise provided in this Act, and also except as follows:

*First*—There shall be no written pleadings, excepting such as are required by law in similar cases before justices of the peace, other than the affidavits in attachment, garnishment and replevin, copies of the distress warrant in cases of distress for rent, the complaint in forcible detainer, and such other written pleadings or statements as may be required from time to time by the rules or regulations of the municipal court, and the writ and summons shall be made returnable, and shall be served in like manner, as the summons in other cases of such class in the municipal court, except in cases of forcible entry and detainer, in which cases the



summons shall be served in like manner as is not [now] provided by law in similar cases before justices of the peace; and in cases of replevin where the value of the property does not exceed two hundred dollars (\$200.00) and in cases of forcible entry and detainer, and in cases of attachment, garnishment and distress for rent where the amount claimed by the plaintiff does not exceed two hundred dollars (\$200.00), posting and publication may be had as in like cases before justices of the peace, and in like manner, as [and] in all other cases notice by publication may be given in the manner prescribed by law for like cases in a circuit court; *alias* and *pluries* writs may be issued under like circumstances as *alias* and *pluries* summonses in other cases of the fourth class.

*Second*—In attachment cases the defendant, at the time of his appearing in person, or of his entering his appearance in writing, if he shall desire to be permitted to present any set-off or counter-claim, shall file a statement thereof.

*Third*—In forcible detainer cases the plaintiffs may unite with his claim for possession of the property any claim for rent or damages for withholding possession of the same.

§ 50e. That any judge of the municipal court to whom application is made for a warrant, *capias* or writ of attachment, in any case of criminal or *quasi* criminal nature, when he is not presiding in court, shall have power and authority to issue such warrant, *capias* or writ of attachment and sign the same with his own name as judge of the municipal court, and indorse thereon the amount of bail in which defendant shall be held, which warrant, *capias* or writ of attachment, when so signed by the judge, shall have the same force and effect as if the same were issued and signed by the clerk of the court. Any complaint or affidavit received by such judge upon the issuance of such warrant, *capias* or writ of attachment shall be filed with the clerk as soon as may be after the issuing of such warrant, *capias* or writ of attachment.

§ 62. That it shall be the duty of the chief justice of the municipal court to superintend the keeping of the records of said court. He shall have power and authority to prescribe abbreviated and amplified forms of entries of orders, judgments and decrees in the municipal court, which abbreviated forms shall stand for and represent the respective amplified forms thereof. The entry by any branch court of any order, judgment or decree in such abbreviated form shall, in legal effect, be the adoption by the court of the prescribed amplified form corresponding to such abbreviated form, and shall have the same force and effect as if such order, judgment or decree were written out in full in the records of said court. Said amplified forms shall in all cases constitute the true record of the court. Said chief justice shall have power and authority to prescribe any rules and regulations concerning the adoption and use of any abbreviated and amplified forms or orders, judgments and decrees that are not inconsistent with this Act.

§ 63. That the judgments, orders and decrees of the municipal court shall have the same force, be of the same effect, be liens upon real

estate or any interest therein in the city of Chicago, to the same extent and under the same circumstances, and be executed and enforced in the same manner as the judgments, orders and decrees of the circuit court of Cook county, except as is otherwise in this Act provided. No judgment, order or decree of the municipal court, the amount of which—exclusive of costs—is, at the date of rendition thereof, less than two hundred dollars, shall be a lien upon real estate or any interest therein excepting from the time of the filing in the office of the recorder of deeds or registrar of titles of Cook county, or registrar of titles or clerk of a court of record, in any other county in this State, of a certified transcript or certificate as provided for in this Act. Upon the filing in the office of the recorder of deeds of Cook county, or in the office of the clerk of any court of record in any other county in this State of a transcript, certified under the hand and official seal of the clerk of the municipal court, of any judgment, order or decree of the municipal court, said judgment, order or decree shall thenceforth have the same force, be of the same effect, be a lien upon unregistered real estate or any interest therein throughout such county to the same extent and under the same circumstances as a judgment, order or decree of the circuit court of such county. No judgment, order or decree of the municipal court shall be a lien upon or affect registered land or any estate or interest therein, until a certificate under the hand and official seal of the clerk of the municipal court, stating the date and purport of the judgment, order or decree, or a certified copy of such judgment, order or decree, is filed in the office of the registrar of titles of the county in which the land is situated, and a memorial of the same is entered upon the register of the last certificate of the title to be affected. The recorder of deeds of Cook county shall provide and keep in his office for said municipal court well bound books for entering therein an alphabetical docket of all judgments, orders and decrees rendered in said municipal court, as is now required by law for docketing judgments, orders and decrees rendered in the circuit courts, and shall forthwith, after the filing of any transcript herein provided for, enter the same, together with the hour, day, month and year of the filing of such certified transcript, and the municipal court general number of the case in which rendered. In any case an execution issued on any judgment, order or decree of the municipal court, when against lands and tenements, goods and chattels within the city of Chicago, shall be directed to the bailiff; or, in case he is disqualified from acting, then to the sheriff of Cook county, and shall be a lien upon all the personal property of the person against whom the judgment is obtained, situated within the city of Chicago, from the time it is delivered to the bailiff, or to the sheriff, to the same extent as an execution issued out of the circuit court of Cook county, when delivered to the sheriff, and may be levied upon the property, real or personal, of said person, situated at any place within the city of Chicago, to the same extent as an execution issued out of the circuit court of Cook county. But no execution upon a judgment, order or decree shall become a lien upon registered land,

or any estate or interest therein, until said execution shall be levied on said real estate, and a certificate of the fact of such levy shall be filed with the registrar of titles of the county in which such real estate is situated, and a memorial thereof shall be entered upon the register of the last certificate of the title to be affected. Executions against lands, tenements, goods and chattels outside of the city of Chicago shall be directed to the sheriff; or, in case he is disqualified from acting, to the coroner of the county in which such lands, tenements, goods and chattels are situated. Any execution issued on any judgment of which a transcript has been filed in the office of the recorder of deeds of Cook county, or in the office of any clerk of any court of record of any other county in this State, shall, throughout the county in which said transcript is filed as aforesaid, be of the same force, have the same effect and be executed in the same manner as if said execution had issued on a judgment of the circuit court of Cook county.

§ 2. That sections 23 and 38 of said Act be and the same hereby are repealed.

§ 3. This Act shall be submitted to a vote of the legal voters of the city of Chicago at the first regular municipal, judicial, general or special election which shall occur in said city of Chicago, after the first day of July, A. D. 1911. The ballots to be used at said election in voting upon this Act shall be in substantially the following form:

<p>For consenting to the Act entitled, "An Act to amend an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905, as amended by an Act approved June 3, 1907, entitled, 'An Act to amend an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905.'"</p>	
<p>Against consenting to the Act entitled, "An Act to amend an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905, as amended by an Act approved June 3, 1907, entitled, 'An Act to amend an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905.'"</p>	

If a majority of the legal voters of said city voting on the question of such election shall vote in favor of consenting to this Act, the same shall immediately thereupon take effect and become operative.

APPROVED June 10, 1911.

## PROBATION SYSTEM.

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| § 1. Adult and juvenile offenders—jurisdiction.<br>§ 2. Release on probation—to what offenses limited.<br>§ 3. Orders entered of record—conditions of probation.<br>§ 4. Conditions of release.<br>§ 5. Power to remit costs.<br>§ 6. Violation by probationer—arrest—discharge or imposition of sentence.<br>§ 7. Termination of probation—record.<br>§ 8. Departure from State terminates probation—proceedings. | § 9. County and city probation officers—number—qualifications—bond.<br>§ 10. Who may be appointed probation officers—oath.<br>§ 11. Probationer arrested on view by officer.<br>§ 12. Probation officers—duties.<br>§ 13. Chief probation officer—powers and duties—records—assistants.<br>§ 14. Probation officers—salary.<br>§ 15. Appeals and writs of error.<br>§ 16. Construction of Act.<br>§ 17. Invalid part. |
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(HOUSE BILL NO. 1. APPROVED JUNE 10, 1911.)

*AN ACT providing for a system of probation, for the appointment and compensation of probation officers, and authorizing the suspension of final judgment and the imposition of sentence upon persons found guilty of certain defined crimes and offenses, and legalizing their ultimate discharge without punishment.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all courts having criminal and quasi criminal jurisdiction, shall have power to deal in the manner hereinafter provided with all offenders, whether adult or juvenile, brought within the jurisdiction of said courts, respectively, for any of the offenses hereinafter specified, but that this Act shall not be construed as limiting or repealing an Act entitled, "An Act to regulate the treatment and control of dependent, neglected and delinquent children," approved April 21, 1899, in force July 1, 1899, or the Acts amendatory thereof, or as restricting the jurisdiction conferred by said Act.

§ 2. Any defendant, adult or juvenile, who has never previously been convicted of any crime or misdemeanor, who has entered a plea of guilty or been found guilty by the verdict of a jury or the finding of a court of any of the hereinafter enumerated offenses or crimes, may, after a motion for a new trial has been overruled, and nothing remains to be done by the court except to pronounce sentence, request the judge who presided at his trial, to be admitted to release on probation, according to the provisions of this Act. Power to release on probation, shall, however, be limited to the following offenses:

*First*—All violations of municipal ordinances where the offense is also a violation, in whole or in part, of a statute.

*Second*—All misdemeanors, except as hereinafter limited.

*Third*—The obtaining of money or property by false pretenses, where the value thereof does not exceed two hundred dollars (\$200).

*Fourth*—Larceny, embezzlement and malicious mischief where the property taken or converted or the injury done does not exceed two hundred dollars (\$200) in value.



*Fifth*—Burglary, where the amount feloniously taken does not exceed two hundred dollars (\$200) in value and the place burglarized was a place other than a business house, dwelling or other habitation.

*Sixth*—Attempt to commit burglary when the place attempted to be burglarized was a place other than a business house, dwelling, or other habitation.

*Seventh*—Burglary, when the burglar is found in a building other than a business house, dwelling house, or other habitation.

§ 3. Orders granting or refusing release on probation shall be entered of record. Application for release on probation may, in the discretion of the court, be granted if it shall appear to the satisfaction of the court both that there is reasonable ground to expect that the defendant may be reformed and that the interests of society will be subserved. If such application is granted, the judge granting the same shall thereupon enter an order continuing the cause for a period not exceeding six months in cases of violation of municipal ordinances where the offense is also a violation, in whole or in part, of a statute and not exceeding one year in the case of other offenses enumerated in section two of this Act, and shall by such order, fix and specify the terms and conditions of the probation of such defendant as herein provided. A cause continued pursuant to the provisions of this Act shall be deemed subject to the jurisdiction of the court in which it is pending, or any judge thereof, for the full period of its continuance, during which time orders may be entered with respect to the conditions of probation, or final sentence imposed without the formal setting aside of such order of continuance.

§ 4. Release on probation shall be upon the following conditions:

(1) That the probationer shall not, during the term of his probation, violate any criminal law of the State of Illinois, or any ordinance of any municipality of said State.

(2) That if convicted of a felony or misdemeanor he shall not, during the term of his probation, leave the State without the consent of the court (granting his application for probation).

(3) That he shall make a monthly report of his whereabouts, conduct and employment and furnish such other information relating to the conditions of his probation, as may from time to time be required by rule or order of court, to the probation officer under whose charge he has been placed, and shall appear in person before the court at such time as the court may direct or the rule of court provide.

(4) That he shall enter into a bond or recognizance in such sum as the court may direct, with or without sureties, to perform the conditions imposed, which shall run to the People of the State of Illinois and may be sued on by any person thereunto authorized by the court for the use of the parties in interest as the same may appear.

And the court may impose any one or more of the following additional conditions and no others:

(1) That he shall make restitution, in whole or in part, immediately or within the period of probation to the person or persons injured or defrauded.

(2) That he shall make contribution from his earnings for the support of those dependent upon him subject to the supervision of the court.

(3) That he shall pay the costs of the proceeding, not exceeding one dollar per month during the continuance of the probation.

§ 5. The court shall have discretionary power to remit such costs as may be imposed, or any portion thereof.

§ 6. At any time during the period of probation, the court may, upon report by a probation officer or other satisfactory proof of the violation by the probationer of any of the conditions of his probation, revoke and terminate the same and issue a warrant for the arrest of the probationer, which warrant shall run throughout the State, and may be served by any probation officer in the State, or by any officer authorized to serve criminal process in any city or county in the State. Upon the probationer being brought before the court for violation of his probation, the court may enter a rule upon the probationer to show cause why his probation should not be terminated and judgment entered, and sentence imposed upon the original conviction and release upon bail shall be allowed as in other cases.

If, upon the probationer being brought before the court, the court shall be of the opinion that the interests of justice do not require the imposition of sentence, and that said probationer should be re-committed to the care of the probation officer, the court may discharge the probationer from arrest, and may re-commit him to the care of the probation officer, subject, however, to the maximum limitation of the probation period as hereinbefore provided.

But if the court shall be of the opinion that the interests of justice require the imposition of sentence the same shall then be imposed. And in computing the period for which he is to be confined, the time between his release upon probation and his return to custody shall not be taken to be any part of the term of his sentence.

§ 7. Upon the termination of the probation period, the probation officer shall report the fact to the court and also the conduct of the probationer during the period of probation, and the court may thereupon discharge the probationer from further supervision or extend the probation period, as the circumstances require: *Provided*, the maximum period of probation herein limited shall not be exceeded.

When a probationer is discharged upon the expiration of the probation period, or upon its earlier termination by order of the court, entry of the discharge shall be made in the records of the court, and the probationer shall be entitled to a certified copy thereof.

§ 8. Should any probationer found guilty of a misdemeanor or a felony depart from this State without the prior leave of the court that placed him on probation, such Act shall, of itself, operate as a termination of his probation and the court shall thereupon enter judgment terminating such probation and he may thereupon be proceeded against

as a fugitive from justice. When re-arrested and brought before the court, the court entering such judgment shall have power to set the same aside and proceed in its discretion with respect to such probationer as though such judgment had never been entered.

§ 9. The circuit court of each of the several counties in this State may appoint a probation officer to act as such for and throughout the county in which he shall be appointed. The circuit court of any county may appoint such number of additional probation officers for such county as the court may deem to be necessary or advisable: *Provided*, the number of probation officers to be appointed for any county shall in no event exceed one for every fifty thousand inhabitants of such county, the school census preceding any appointment to be the basis for the determination of the number of inhabitants of such county: *Provided, further*, that in no event shall the number of probation officers, in any one county, exceed twenty. Any circuit court, in any county in which there are five or more probation officers, may also, in its discretion, appoint a chief probation officer in addition to the number of probation officers herein provided for. Said probation officers shall be of good character, shall possess such other qualifications as may be provided by rules to be adopted by such courts respectively, and may by such rules each be required to give bond in a sum not exceeding five thousand dollars (\$5,000), conditioned for the faithful discharge of the duties of such probation officer, and otherwise as provided by said rules such bond to be with such sureties as may be approved by the court. Said probation officers shall, unless sooner removed, serve as such for a period of one year from the date of their appointment and until their successors shall severally be appointed and qualified, shall be subject to the orders of the courts appointing them and removable in the discretion thereof by an order duly entered of record. Said circuit court may adopt general rules not inconsistent with the provisions of this Act, and promotive of its letter and spirit, providing, among other things, for the qualifications of probation officers, their duties, and such other matters as may seem expedient. In any city in this State having a population of fifty thousand or less inhabitants, as shown by the preceding school census, in which city there has been or may hereafter be established a municipal or city court, such municipal or city court may appoint one probation officer for such municipal or city court, in which case the number of probation officers to which any county is entitled as above provided, shall be reduced by the number of municipal or city courts in said county established for cities having a population of fifty thousand or less inhabitants. The remaining probation officers to which any county may be entitled as aforesaid shall be equally apportioned between the county and the several cities, if any therein that severally have a population of more than fifty thousand inhabitants. Such probation officers so apportioned to such county shall be appointed by the circuit court of said county, and such probation officers so apportioned to such cities



shall be appointed by the municipal or city courts in said several cities. The judges of the circuit court of any county and of the municipal or city courts therein established for cities having a population of more than fifty thousand inhabitants, shall meet as a unit body at such times as they deem proper, and at any such meeting may appoint a chief probation officer to act as such over all the probation officers appointed by any of said courts. Said judges may, at any such meeting, adopt general rules not inconsistent with the provisions of this Act, but promotive of its letter and spirit and transact such other business concerning the subject matter of this Act as to said judges may seem proper. Said judges may, at any such meeting appoint a committee of such number of them as they may determine to exercise the ministerial powers of said entire body of judges and the powers of appointment and removal of the chief probation officer, such committee to report to the entire body of judges at such time as may be required by rules or by specific order.

§ 10. Any reputable private person who shall be of the age of twenty-five years or upwards, may be appointed a probation officer.

Members of the police force of any city or village, if specially detailed by their commanding officer to the work, may be appointed probation officers in said city or village, and in case any police officer is so appointed a probation officer he shall receive no additional compensation because of such appointment.

Before entering upon the duties of his office, each probation officer shall take and subscribe to an oath before the county clerk of his county to support the Constitution and laws of the United States and of the State of Illinois, and faithfully to perform the duties of his office.

§ 11. Probation officers, in the exercise of their official duties, and sheriffs, constables and police officers, may, anywhere within the State, arrest on view any probationer found by them violating any of the conditions of his probation, and it shall be the duty of the officer making such arrest immediately to take said probationer before the court having jurisdiction over him for further order.

§ 12. The duties of probation officers shall be:

1. To investigate, when required by rule of court or by specific order, the case of any person who has invoked the provisions of this Act, and as accurately and as fully as diligence will enable to ascertain (a) the personal characteristics, habits, associations and previous conduct of such person, (b) the names, relationships, ages and conditions of those dependent upon him for support, maintenance and education, and (c) such other and further facts as may aid the court as well in determining the propriety of probation as in fixing the conditions thereof. To the end that such investigation may be properly made, a probation officer commissioned to investigate shall be afforded full opportunity to confer with the person to be investigated when such person is in custody.

2. To report in writing the result of such investigation.



3. To preserve complete and accurate records of cases investigated, including a description of the person investigated, the action of the court with respect to his case and his probation, the subsequent history of such person if he becomes a probationer during the continuance of his probation, which records shall be open to inspection by any judge or by any probation officer pursuant to order of court, but shall not be a public record, and its contents shall not be divulged otherwise than as above provided, except upon order of court.

4. To take charge of and watch over all persons placed on probation under such regulations and for such terms as may be prescribed by the court, and giving to each probationer full instructions as to the terms of his release upon probation and requiring from him such periodical reports as shall keep the officer informed as to his conduct.

5. To perform such other duties as are provided for in this Act or by rules of court and such incidental duties as may be implied from those expressly required.

§ 13. It shall be the duty of the chief probation officer appointed as provided in this Act, to supervise and control the work of all subordinate probation officers under his jurisdiction and control as herein provided, subject to such rules and regulations as may be adopted by the court or judges as herein provided, and to supervise the conduct of probationers to such extent as the court, or said judges and the rules herein provided for may direct.

Any chief probation officer shall have authority to suspend any probation officer under his supervision for a period of not exceeding thirty days, but may not discharge, and it shall be the duty of such chief probation officer promptly to file charges against any probation officer so suspended by him, with the court or judges appointing such probation officer, and said court or judges shall thereupon investigate said charges and may hear evidence, and shall act thereon as the interests of justice and the good of the probation service may require.

The records concerning probationers shall be kept in one office under the supervision of the chief probation officer, to whom all such probation officers must report. It shall be the duty of the board of county commissioners or supervisors of each county in this State in which a chief probation officer may be appointed, to furnish suitable rooms and accommodations for said probation officer, all probation officers under his jurisdiction and clerical assistants, and for the keeping of said records and such equipment and supplies as may be provided by the board of county commissioners or supervisors. The number of such clerical assistants shall be determined by the circuit court or the judges appointing said probation officer as aforesaid. Salaries of said assistants shall be fixed by the board of county commissioners or supervisors.

§ 14. The amount of compensation to be paid any probation officer or chief probation officer appointed by any circuit court shall be determined by the board of commissioners or supervisors of the several counties in which said officers respectively are appointed, and shall be paid

by the county treasurer on the warrant of the county comptroller or other person authorized to issue warrants on the county treasurer; the amount of compensation to be paid to any probation officer appointed by any municipal or city court shall be determined by the city council of the city in which such municipal or city court is situated, and shall be paid out of the city treasury on warrants drawn for that purpose; the compensation to be paid to any chief probation officer appointed jointly by the judges of the circuit court of any county, and the judges of any municipal or city court, as provided in section 9 of this Act, shall be equally apportioned between the county and the cities, the judges of whose courts made such appointment as aforesaid, and the amount thereof shall be fixed by said judges and approved by the board of county commissioners or supervisors of such county and by the city councils of the cities for which said chief probation officer is appointed as aforesaid: *Provided, however,* that the compensation paid any chief probation officer in counties of the third class shall not exceed three thousand dollars (\$3,000) a year; the compensation of each of not more than three assistant probation officers in counties of said class shall not exceed eighteen hundred dollars (\$1,800) a year, and the compensation of any other probation officer in counties of said class shall in the case of probation officers of the circuit court be fixed by the county board, and in the case of probation officers appointed by a municipal or city court by the city council: *And, provided,* that the compensation of any chief probation officer in counties of the second class shall not exceed twelve hundred dollars (\$1,200) a year, and the compensation of any other probation officer in counties of said class shall not exceed eight hundred dollars (\$800) a year: *And, provided,* that in counties of the first class the compensation of any probation officer shall be limited to a per diem of not to exceed three dollars (\$3) per day for such time only as said officer shall be actually engaged in the discharge of his official duties. Probation officers shall, in counties of said first class, be entitled to their necessary traveling and other expenses incurred in the discharge of their official duties, but in counties of the second and third classes no probation officer shall be entitled to be reimbursed for any traveling expenses unless such officer shall be called upon to go outside of his county, in which case such officer shall be reimbursed for his necessary traveling expenses, and the court having jurisdiction may, by special order duly entered, direct that a probation officer shall be reimbursed for other expenses, incurred in any case pending before said court. All such expenses after being certified by the presiding judge of the circuit court or the committee of judges provided for in section 9 of this Act and approved by the board of county commissioners or board of supervisors of such county, shall be paid by the county treasurer on warrant by the proper county officer. No probation officer receiving compensation from any public funds under the provisions of this Act shall receive any compensation, gift or gratuity whatsoever from any person, firm or corporation for doing, or refraining from doing any official

act in any way connected with his work as probation officer, or in any way connected with any proceeding then pending or about to be instituted in any court with which said probation officer has to do. Any probation officer receiving compensation from any public funds under the provisions of this Act, who shall receive any compensation, gift or gratuity whatever from any person, firm or corporation for doing or refraining from doing any official act in any way connected with his work as probation officer, or in any way connected with any proceeding then pending or about to be instituted in any court with which said probation officer has to do, shall be deemed guilty of a misdemeanor, and shall be punished accordingly and shall be immediately removed by the court or judges having the power of removal.

§ 15. A defendant who shall have successfully invoked the provisions of this Act may review, by appeal in the same manner, as near as may be, as in case of appeal from the circuit courts in misdemeanors, or writ of error, any order changing, modifying or terminating the probation period. The appellate courts of this State are hereby given jurisdiction finally to hear and determine all such appeals and writs of error, and such courts may affirm, reverse or modify such orders so that the same shall conform to the provisions of this Act, and so that its purposes and the interests of justice and society shall be best subserved.

§ 16. Nothing in this Act contained shall be construed in any way as depriving any person of the right of trial by jury, or as interfering with, or encroaching upon, the prerogative of the Governor to grant reprieves, commutations and pardons after conviction for all offenses, or with the right of the Board of Pardons to parole offenders after sentence and conviction, as provided in the Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime and providing for a system of parole and to provide compensation for the officers of such system of parole," approved April 21, 1899, in force July 1, 1899, and the amendments thereto.

§ 17. The invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

APPROVED June 10, 1911.

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#### SUPERIOR COURT—ELECTION OF JUDGES.

§ 1. Fixes time of election.

| § 2. Repeal.

(SENATE BILL NO. 370. APPROVED JUNE 5, 1911.)

*AN ACT to provide for the election and time of election of judges of the superior court of Cook county.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That each of the sitting judges of the superior court of Cook county shall hold his office until the expiration of the term for which he was elected, and from and after the passage of this Act the twelve judges of the superior court of Cook county shall be elected as follows:



One judge on the first Monday in June in the year of our Lord nineteen hundred and fifteen and every six years thereafter;

Six judges on the first Monday of June in the year of our Lord nineteen hundred and sixteen, and every six years thereafter;

Four judges on Tuesday next after the first Monday in November in the year of our Lord nineteen hundred eleven and every six years thereafter;

One judge on the first Tuesday in April in the year of our Lord nineteen hundred and thirteen and every six years thereafter;

Each of the judges so elected as above provided shall enter upon the duties of his office on the first Monday in December next after his election, and shall hold office for a term of six years and until his successor is elected and qualified.

§ 2. All Acts and parts of Acts in conflict with this Act are hereby repealed.

APPROVED June 5, 1911.

#### SUPERIOR COURT—NUMBER OF JUDGES, NOMINATIONS.

§ 1. Number of judges increased to eighteen.

§ 2. Time of election—term.

§ 3. Nominations—how made.

(HOUSE BILL NO. 450. APPROVED JUNE 10, 1911.)

*AN ACT to provide for an increase in the number of judges of the superior court of Cook county and to provide for the nomination of candidates for said judicial offices.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, as it appears by the Federal census of 1910 that the number of inhabitants of the county of Cook is over two millions four hundred thousand (2,400,000) and that therefore the General Assembly is authorized under section 23 of article 6 of the Constitution of this State to provide for twenty-two (22) additional judges of the circuit or superior courts of said county, therefore the number of judges of the superior court of the county of Cook be and the same is hereby increased from twelve (12), its present number, to eighteen (18).

§ 2. On Tuesday after the first Monday of November in the year 1911 and every six (6) years thereafter the six (6) additional judges of said superior court herein provided for shall be elected, to hold their offices for a term of six (6) years and until their successors shall be elected and qualified.

§ 3. The nominations for said additional offices by political parties in Cook county entitled to make nominations for officers to be elected in said county shall, until otherwise provided by law, be made in the manner prescribed by an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, excepting that the nominations for said offices to be filled at the election to be held on the first Tuesday after the first Monday of November, 1911,



other than those made by petition, shall be made by conventions of the precinct committeemen of the respective political parties to be held on the 19th day of September, 1911, and the nominations made by said conventions when certified to by the presiding officer thereof shall be placed upon the official ballot to be voted at said election in the same manner as if said nominations had been made at a primary election.

APPROVED June 10, 1911.

#### SUPREME COURT—REPORTS AND REPORTER.

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| § 1. Distribution of reports—purchase by Secretary of State—price—duties and compensation of reporter. | § 2. Number printed—copyright and plates—printing and sale by Secretary of State.<br><br>§ 3. Repeal. |
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(HOUSE BILL No. 204. APPROVED JUNE 5, 1911.)

*AN ACT to regulate the reporting of the decisions of the Supreme Court of this State, to fix the compensation of the reporter, to fix the price of said reports, to provide for the purchase of certain copies thereof by the State and for their distribution, and repealing a certain Act therein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The reports of the decisions of the Supreme Court shall be distributed as follows, viz: Five copies to the Library of Congress, one copy to the President of the United States, one copy to each state and territorial library, one copy to each judge of the Supreme Court of this State, one copy to each judge of the circuit courts of this State, one copy to each judge of the superior court of Cook county, one copy to the judge of each city court in this State, one copy to each clerk of the courts of record in this State, one copy to each law institute in this State, one copy to each State officer required to reside at the seat of government. Five copies shall be deposited in each library of the Supreme Court of this State, and twenty copies shall be deposited in the State library for the use of the State. For the purpose of carrying into effect the foregoing provisions, the Secretary of State is hereby authorized and required to purchase a sufficient number of copies of the official edition of said Illinois reports published since volume numbered sixty-two (62), and each and every volume from time to time as the same shall hereafter be published, for the purpose provided as aforesaid, said books to be paid for when certified by the Secretary of State, upon the warrant of the Auditor, by the State Treasurer, out of moneys appropriated for that purpose. The price per volume of said reports, subsequent to volume sixty-two (62) which have been published prior to July 1, 1877, shall not exceed three dollars and fifty cents (\$3.50) per volume. All volumes of said reports published after July 1, 1877, up to and including volume two hundred and forty-five (245), shall be furnished at a price not to exceed two dollars and twenty-five cents (\$2.25) per volume, and all volumes published subsequent to and including volume two hundred and forty-six (246) shall be furnished at

a price not to exceed one dollar and fifty cents (\$1.50) per volume, to be delivered to the Secretary of State. The reporter of said decisions shall perform such duties, in such manner as the Supreme Court has or may, from time to time, by rule prescribe. He shall receive as his compensation a salary of six thousand dollars (\$6,000) per annum, payable out of the State treasury in quarter-yearly installments, upon the warrant of the Auditor. It is hereby made the duty of the reporter, within four months after a sufficient number of opinions to constitute a volume shall be ready for delivery to him, to have the same printed and published in the style and manner and of the size and quality required by the rules of the Supreme Court, and for such period as he may be in default in that regard he shall receive no salary, unless the Supreme Court shall certify that such default could not have been avoided by the exercise of due diligence by said reporter. Beginning with volume two hundred and forty-six (246) the reporter shall sell the same and subsequent volumes at a price not exceeding one dollar and fifty cents (\$1.50) per volume. In no event shall the State be liable for any portion of the cost of the printing and publishing of said reports except as hereinafter provided, but the entire expense thereof shall be paid by the reporter.

§ 2. The reporter shall print thirty-five hundred (3500) copies of each volume of reports published by him and shall sell and dispose of the same on his own account. When the said thirty-five hundred (3500) copies of any volume published by him shall be disposed of, the reporter shall certify that fact under oath to the Secretary of State, and shall thereupon assign the copyright and deliver the plates of said volume to the Secretary of State for the use of the State of Illinois, without charge to the State, and shall thereupon cease to have any interest in or control over said copyright and plates. The Secretary of State shall thereafter cause such number of copies to be printed and bound, at the expense of the State, as may from time to time be needed to supply the demand, and shall sell the same at a price not to exceed one dollar and fifty cents (\$1.50) per volume, accounting to the State for the proceeds. Such books as printed and bound by the Secretary of State as herein provided shall be of the same quality as those published by the reporter.

§ 3. An Act entitled "An Act to regulate the reporting of the decisions of the Supreme Court of this State, to fix the compensation of the reporter, to fix the price of said reports, to provide for the purchase of certain copies thereof by the State and for their distribution," approved May 17, 1877, in force July 1, 1877, be and the same is hereby repealed.

APPROVED June 5, 1911.

## CRIMINAL CODE.

### CIVIL AND LEGAL RIGHTS—BURIAL LOTS.

§ 1. Amends section 1, Act of 1885.

§ 1. As amended, adds provision relative to graves or lots in any cemetery, etc.

(HOUSE BILL No. 301. APPROVED JUNE 5, 1911.)

*AN ACT to amend section 1 of an Act entitled, "An Act to protect all citizens in their civil and legal rights, and fixing a penalty for violation of the same," approved June 10, 1885, in force July 1, 1885, as amended by Act approved May 15, 1903, in force July 1, 1903.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled, "An Act to protect all citizens in their civil and legal rights, and fixing a penalty for violation of the same," approved June 10, 1885, in force July 1, 1885, as amended by Act approved May 15, 1903, in force July 1, 1903, be and the same is hereby amended so as to read as follows:

§ 1. That all persons within the jurisdiction of said State of Illinois shall be entitled to the full and equal enjoyment of the accommodation, advantages, facilities and privileges of inns, restaurants, eating houses, hotels, soda fountains, saloons, barber shops, bath rooms, theaters, skating rinks, concerts, cafés, bicycles[bicycle] rinks, elevators, ice cream parlors or rooms, railroads, omnibuses, stages, street cars, boats, funeral hearses and public conveyances on land and water, and all other places of public accommodation and amusement, subject only to the conditions and limitations established by law and applicable alike to all citizens; nor shall there be any discrimination on account of race or color in the price to be charged and paid for lots or graves in any cemetery or place for burying the dead, but the price to be charged and paid for lots in any cemetery or place for burying the dead shall be applicable alike to all citizens of every race and color.

APPROVED June 5, 1911.

## COMMON DRINKING CUP, ETC., IN PUBLIC PLACES.

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| § 1. Prohibits use of common drinking cup etc., in public places. | § 3. Unlawful to furnish or have for use. |
| § 2. Use prohibited on railroad trains and at stations, etc.      | § 4. Penalty.                             |

(SENATE BILL NO. 422. APPROVED JUNE 5, 1911.)

AN ACT to prohibit the use of a common drinking cup, glass or other utensil used for public drinking purposes in public and private schools, State educational institutions, halls used for public meetings or entertainments, hotels, lodging houses, theatres, factories or public or municipal buildings, on railroad trains and stations and in other public places in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person, firm or corporation, directly or indirectly, connected in any public or private school or in any State institution, halls used for public meetings or entertainments, hotels, lodging houses, theatres, factories or public or municipal buildings in the State of Illinois to use or permit for use a common drinking cup, glass or other utensil used for public drinking purposes.

§ 2. It shall be unlawful for any person or corporation in charge of or in control of any railroad trains or any station to permit the use of a common drinking cup, glass or other utensil used for public drinking purposes in or about any trains operated by it or in any building or premises used by it whatever.

§ 3. No person, firm or corporation in charge of or in control of any railroad train or railroad station, or any public or private school, or any State educational institution, or of any hall used for public meetings or entertainments, or hotel, lodging house, theatre, or factory, or of any public or municipal building in the State of Illinois shall furnish any drinking cup, glass or other utensil used for public drinking purposes for public use, nor shall such person or corporation or institution use or have for use in or upon its premises any such common drinking cup.

§ 4. Any person, firm or corporation who shall violate any of the provisions of this Act shall, upon conviction, be fined for each offense the sum of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00).

APPROVED June 5. 1911.



## INFAMOUS CRIMES.

§ 1. Amends section 7, division 2, Act of 1874.

§ 7. As amended, changes provision concerning larceny.

§ 2. Emergency.

(SENATE BILL NO. 18. APPROVED MAY 29, 1911.)

AN ACT to amend section seven (7) of division two (2) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended by an Act approved April 21, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7) of division two (2) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended by an Act approved April 21, 1899, be and the same is hereby amended so to read as follows:

§ 7. Every person convicted of the crime of murder, rape, kidnapping, wilful and corrupt perjury or subornation of perjury, arson, burglary, robbery, sodomy, or other crime against nature, incest, forgery, counterfeiting, bigamy, or larceny, if the punishment for said larceny is by imprisonment in the penitentiary, shall be deemed infamous, and shall forever thereafter be rendered incapable of holding any office of honor, trust or profit, of voting at any election, or serving as a juror, unless he or she is again restored to such rights by the terms of a pardon for the offense or otherwise according to the law: *Provided, however,* that the foregoing shall not apply to any person who has been heretofore convicted and sentenced, or who may be hereafter convicted and sentenced to the Illinois Reformatory at Pontiac.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED May 29, 1911.

## INJURY TO RAILROADS.

§ 1. Amends sections 189 and 190, Act of 1874.

§ 190. Influencing others to injure railroads.

§ 189. Attempting injury to railroads.

(HOUSE BILL NO. 607. APPROVED JUNE 7, 1911.)

AN ACT to amend sections one hundred eighty-nine (189) and one hundred ninety (190) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one hundred eighty-nine (189) and one hundred ninety (190) of an Act entitled, "An Act to

revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the same hereby are amended so as to read as follows:

#### ATTEMPTING INJURY TO RAILROADS.

§ 189. Whoever shall maliciously make any attempt, although the same may not succeed, to place obstructions on any railroad track, to burn, blow up or destroy any railroad bridge or remove, loosen, cut, injure or destroy any railroad wires, or crossarms or insulators, to which railroad wires are attached or make any connection or contact with or cast any object upon or in contact with any railroad wires or burn, loosen, remove, destroy or injure any railroad poles or in any other way prevent the free and safe passage of trains on any railroad shall be imprisoned in the penitentiary not less than one nor more than ten years.

#### INFLUENCING OTHERS TO INJURE RAILROADS.

§ 190. Whoever shall maliciously hire, persuade or induce, attempt to hire, induce or persuade any person to burn or in any way injure or destroy any railroad bridge, to take up, injure or destroy or obstruct any railroad track or any machine shop, engine house, power house, substation, engine or car or to remove, loosen, cut, injure or destroy any railroad wires or insulators or make any connection or contact with or cast any object upon any railroad wires or remove, destroy, loosen or injure or burn any railroad poles or other machinery or property necessary for the operation of any railroad, shall be imprisoned in the penitentiary not less than one or more than ten years.

APPROVED June 7, 1911.

#### ITINERANT VENDORS OF MERCHANDISE—FRAUD IN SALES, ETC.

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| <p>§ 1. "Itinerant vendor" defined—exemptions.</p> <p>§ 2. Advertising sale—application for license—statement under oath.</p> <p>§ 3. State and local license—municipal ordinances—money deposit—fee—limitation.</p> <p>§ 4. Applications for licenses under oath—contents—files and records open to public—local license—fees—endorsement.</p> | <p>§ 5. Enforcement of Act—<i>prima facie</i> evidence.</p> <p>§ 6. Prosecutions—expiration of State license—surrender—return of deposit.</p> <p>§ 7. Claims of creditors—how enforced.</p> <p>§ 8. Violations—penalties.</p> |
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(HOUSE BILL No. 336. APPROVED JUNE 7, 1911.)

AN ACT to prevent and punish fraud in sales of goods, wares and merchandise at public or private sale, by itinerant vendors and to regulate all such sales.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the words "itinerant vendor" for the purposes of this Act, shall mean and include all persons, both

principals and agents, who engage in or conduct, in this State, either in one locality or in traveling from place to place, a temporary or transient business of selling goods, wares and merchandise with the intention of continuing in such business in any one place for a period of not more than one hundred and twenty days, and who, for the purpose of carrying on such business, use, lease or occupy, either in whole or in part, a room, building, or other structure, for the exhibition and sale of such goods, wares and merchandise. The provisions of this Act shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, nor to bonafide sale of goods, wares and merchandise by sample for future delivery, nor to hawkers on the streets, or peddlers from vehicles, nor to any sale of goods, wares or merchandise on the grounds of any agricultural society during the continuance of any annual fair held by such society.

§ 2. An itinerant vendor shall not advertise, represent or hold forth the sale of goods, wares or merchandise as an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver, wholesale, manufacturers' wholesale, or closing out sale, or as a sale of any goods damaged by smoke, fire, water, or otherwise, unless before so doing he shall state, under oath, to the Secretary of State, either in the original application for a State license or under a supplementary application subsequently filed and copied on the license, all the facts relating to the reasons and character of such special sale so advertised, held forth, or represented, including a statement of the names of the persons from whom the said goods, wares or merchandise were obtained, the date of delivery of the same to the person applying for the license, the place from which said goods, wares and merchandise were taken last, and all details necessary to exactly locate and fully identify all goods, wares and merchandise to be sold.

§ 3. An itinerant vendor, whether principal or agent, before beginning business, shall take out a State and local license in the manner hereinafter set forth, but the right of municipal corporation to pass such additional ordinances relative to itinerant vendors as may be permissible under the general law, or under its charter, shall not be affected. Every itinerant vendor desiring to do business in this State, shall deposit with the Secretary of State the sum of five hundred dollars as a special deposit, and thereafter, upon application, in proper form, and the payment of a further sum of twenty-five dollars as a State license fee, such secretary shall issue to him an itinerant vendors' license, authorizing him to do business in this State, in conformity with the provisions of this Act, for one year from date thereof. Such license shall set forth a copy of the application for which it was granted. The license shall not be transferable nor permit more than one person to sell goods as an itinerant vendor, neither by agent nor clerk, or in any other way than person, but any license [licensee] may have the assistance of one or more persons who may aid him in conducting his business, but not act for him or without him.

§ 4. Applications for licenses shall be sworn to, shall disclose the names and residences of the owners or persons in whose interest the business is conducted, to be kept on file by the Secretary of State, and a record shall be kept by him of all licenses issued upon such application. All files and records of the Secretary of State and the respective clerks or license collectors or municipal corporations shall be in convenient form and open for public inspection. Before selling under a State license, an itinerant vendor shall exhibit to the clerk, license collector, mayor or other authorized officer of the municipal corporation, where he proposes to make sales, upon payment to such clerk, license collector, mayor or other authorized officer of further local license fees, as provided by ordinance, or in the absence of such ordinance, such amount to the clerk, license collector, mayor or other authorized officer determines, and the proof of payment of all such other license fees, legally chargeable upon local sales, the local officer shall record such State license, endorse upon it the words "local license fees paid," and affix his official signature with the date of such endorsement. He shall then issue a local license authorizing the sales within the limit of such city, town or village. Failure to obtain a local license and have proper endorsement made on the State license, shall be subject to a like penalty as if State license had not been issued.

§ 5. The informing, or prosecuting officer in a municipal corporation shall enforce the provision of this Act and prosecute violations thereof. Such officers may demand the production of the proper State and local licenses from an itinerant vendor advertising or actually engaged in business and the failure to produce such license shall be *prima facie* evidence against such vendor that he has none.

§ 6. Prosecutions under this Act may be heard and determined by any court having criminal jurisdiction over other offenses punished by law, to the same extent as hereinabove provided. All State licenses shall expire by limitation one year from the date thereof, and may be surrendered at any time prior thereto for cancellation. Upon the expiration and return, or surrender of the State license, the Secretary of State shall cancel it, endorse the date of delivery and cancellation thereon, and place it on file. He shall hold the special deposit of such licensee mentioned in this chapter for the further period of sixty days and after satisfying all claims made under it under the section next following, shall return such deposits, or portion thereof, as remains in his hands, to the licensee depositing same.

§ 7. Each deposit so made with the Secretary of State shall be subject to attachment and execution on behalf of creditors, whose claims arise in connection with business done in this State, and to the payment of fines and penalties incurred by the licensee, through violation of this Act. Claims under civil process shall be enforced against the Secretary of State as garnishee or trustee by action in the usual form, and claims for satisfaction of fines and penalties shall be enforced by the prosecuting attorney serving notice of pendency of action and judgment when ob-



tained upon the Secretary of State. Claims upon each deposit shall be satisfied after judgment, in the order in which notice of the claim is received by the Secretary of State, until such claim is satisfied, or the deposit exhausted; but notice if filed after the expiration of such sixty days' limit shall not be valid. A deposit shall not be paid by the Secretary of State to licensees as long as there are outstanding claims or notices of claims against it, unless there is an unreasonable delay in enforcing them.

§ 8. Every itinerant vendor who sells or exposes for sale, at public or private sale, any goods, wares or merchandise without State license therefor, properly endorsed, or files any application, originally or supplementary which contains any false statements, or fails to comply with any of the requirements of the preceding sections, and every person, whether principal or agent, who by circular, handbill, newspaper, or in any other manner, advertises any such sales before proper licenses are issued to the vendor, shall be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars nor less than two hundred dollars or by imprisonment in the county jail for not more than six months or both.

APPROVED June 7, 1911.

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JUNK DEALER, PAWNBROKER, ETC.—PURCHASE, ETC., FROM MINOR.

§ 1. Unlawful to purchase, etc., any- | § 2. Penalty.  
thing of value from minor.

(SENATE BILL NO. 284. APPROVED MAY 29, 1911.)

AN ACT to prohibit any junk dealer, or any second-hand dealer, or any pawn broker from purchasing or receiving on deposit, or pledge, goods or anything of value from a minor, and providing a punishment for a violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any junk dealer, pawn broker, or any second-hand dealer, either directly or indirectly, to purchase or receive by way of barter or exchange, or otherwise, anything of value, or to receive on deposit or pledge anything of value, as security for a loan of money, from any person, either male or female, under the age of their legal majorities respectively.

§ 2. Any person violating the provisions of section 1 of this Act shall, upon conviction, be fined in a sum not exceeding five hundred dollars (\$500.00) for each offense.

APPROVED May 29, 1911.

## PAROLE SYSTEM—PAROLE AGENTS.

§ 1. Amends section 9, Act of 1899.

§ 9. Appointment of parole agents — number — duties — salary.

(SENATE BILL No. 296. APPROVED JUNE 5, 1911.)

AN ACT to amend section 9 of an Act entitled, "*An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole; and to provide compensation for the officers of said system of parole,*" approved April 21, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 9 of an Act entitled, "*An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole,*" approved April 21, 1899, in force July 1, 1899, be and the same is hereby amended so as to read as follows:

§ 9. Each of the boards of penitentiary commissioners shall have power and authority to appoint such number of parole agents as may be necessary: *Provided*, that the number of such parole agents appointed by the Board of Penitentiary Commissioners for the Illinois State Penitentiary at Joliet shall not exceed five, and that the number of such parole agents appointed by the Board of Penitentiary Commissioners for the Southern Illinois Penitentiary shall not exceed two. Each of the boards of penitentiary commissioners also shall have power and authority to prescribe the duties of said officers respectively appointed by them; that each of said parole agents shall at all times be subject to the orders of the board which appointed him as provided in this section, and shall receive a salary not to exceed fifteen hundred dollars per year, payable monthly, upon the certificate of said board and upon warrants drawn by the Auditor of Public Accounts, out of any money in the treasury not otherwise appropriated.

APPROVED June 5, 1911.

## DRAINAGE.

## DISTRICTS EMPTYING INTO LOWER DISTRICTS—BENEFITS.

§ 1. Amends section 3, Act of 1903.

§ 3. Petition—summons—service and return—hearing.

§ 2. Emergency.

(SENATE BILL NO. 8. APPROVED APRIL 13, 1911.)

AN ACT to amend section 3 of an Act entitled, "*An Act to require drainage districts lying above a lower drainage district, or emptying into a lower drainage district, whether such districts be organized under the same or different drainage laws of this State, to pay to the lower drainage district, for benefits received, if any, by the lands of the upper district, by the enlarging or improving of the ditches or drains of the lower district, or the construction of an outlet or outlets for the ditches or drains of the lower district, within or outside the boundaries of said lower district; and to provide for the collection and payment of such benefits,*" approved May 14, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of an Act entitled, "*An Act to require drainage districts lying above a lower drainage district, or emptying into a lower drainage district, whether such districts be organized under the same or different drainage laws of this State to pay to the lower drainage district, for benefits received, if any, by the lands of the upper district, by the enlarging or improving of the ditches or drains of the lower district, or the construction of an outlet or outlets for the ditches or drains of the lower district, within or outside the boundaries of said lower district; and to provide for the collection and payment of such benefits,*" approved May 14, 1903, in force July 1, 1903, be and the same hereby is amended to read as follows:

§ 3. Upon the filing of such petition summons shall issue out of said court against such upper district or districts, or district or districts emptying into such lower district, which summons may be directed to any county in this State for service and return, and which summons shall be served upon the commissioners of such upper district or districts, or district or districts emptying into such lower district, as in common law cases. Said cause shall be heard and tried at any probate or common law term of said court, and the practice shall be as in cases at common law.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall be in force from and after its passage and approval.

APPROVED April 13, 1911.

## PUMPING PLANTS—AMOUNT OF BENEFITS.

§ 1. Amends section 1, Act of 1905.

§ 1. Annual amount of benefits  
determined by county  
court—rights reserved  
—application of Act.

(HOUSE BILL NO. 576. APPROVED JUNE 7, 1911.)

AN ACT to amend section 1 of an Act entitled "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to the erection, maintenance and operation of such pumping plants," approved and in force May 13, 1905, as amended by an Act approved May 20, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to the erection, maintenance, and operation of such pumping plants," approved and in force May 13, 1905, as amended by an Act approved May 20, 1907, in force July 1, 1907, be and the same is hereby amended to read as follows:

§ 1. That whenever the drainage commissioners of any drainage and levee district heretofore or hereafter organized under an Act entitled "An Act to provide for the construction, reparation and protection of drains, ditches, and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885; as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 20, 1907; as amended by an Act approved and in force May 29, 1909; shall deem it necessary for the disposition of the surface water, seepage or rainfall in such districts, that one or more pumping plants be erected, maintained and operated, they may, with the approval of the county court of the county in which the district is located or organized, out of the funds raised, or to be raised, by special assessments on the lands of such district, and as a part of the drainage and levee work of the district erect, maintain and operate one or more such pumping plants in such district, and for the purpose of maintaining, operating and keeping in repair such plant or plants along with the levees, ditches and other works of such district, the annual amount of benefits levied and assessed against the lands of such district shall be in such amount as the county court in which said district is organized and which has jurisdiction over the said district shall find will accrue to the lands of the said district by the main-



tenance and operation of the ditches, levees, pumping plant or plants and other works of said district, in accordance with the provisions of the said Act entitled "An Act to provide for the construction, reparation and protection of drains, ditches, and levees across the land of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts" as amended of the dates as hereinbefore set forth.

And be it further enacted that section 1 of the said Act of which this is an amendment be and the same is hereby repealed; saving and reserving, however, any rights that may have heretofore accrued thereunder: *Provided*, the provisions of this Act and each and every thereof, shall apply and have force and vitality, solely and only in the case of "levee drainage districts" so-called, organized under the so-called "levee drainage Act" by statute made and provided, and then only in those cases where said drainage districts have or have at the inception of their organization, and keep and maintain pumping plants or stations.

APPROVED June 7, 1911.

#### PUMPING PLANTS—DESTRUCTION OR INJURY.

§ 1. Adds two sections.

§ 2a. Replacing or repairing  
destroyed or injured  
pumping plant.

§ 2b. Plans and estimates—  
petition — assessments.

[§ 2.] Emergency.

(HOUSE BILL No. 650. APPROVED JUNE 7, 1911.)

AN ACT to amend an Act entitled, "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to the erection, maintenance and operation of such pumping plants," approved and in force May 13, 1905, as amended by Act approved May 20, 1907, and in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to the erection, maintenance and operation of such pumping plants," approved and in force May 13, 1905, as amended by Act approved May 20, 1907, be and the same is hereby further amended by adding thereto the following two new sections:

§ 2a. When any such pumping plant shall be destroyed or materially injured by fire, cyclone, tornado, or otherwise, and the drainage and levee district in which it is situated has not then funds, or assets from which funds can be realized, sufficient to replace or properly repair such pumping plant, the commissioners of the district shall have the right and power, with the consent and approval of the county court of

the county in which such district was organized, to proceed forthwith, to have plans and estimates made and to let a contract for the replacing or repairing of such destroyed or injured pumping plant, and may proceed forthwith with the work of replacing or repairing the destroyed or injured pumping plant, without waiting to first provide and obtain the necessary funds to pay therefor, and without waiting to first provide assets from which such funds may be realized.

§ 2b. The said commissioners shall, at once, have made by a competent engineer or other competent person the plans and estimates for the work of replacing or repairing such destroyed or damaged pumping plant, and shall file their petition for an assessment of benefits, to pay for the same, and shall have such assessment made and confirmed without delay; which petition shall be accompanied by the said plans and estimates, or copies thereof, and the said assessment shall be made by the same proceedings and in the same manner and with like notices as an additional assessment under and by virtue of the provisions of the Act entitled, "An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by subsequent Acts.

[§ 2.] And for the purpose of meeting and providing for an emergency which now exists this Act shall take effect and be in force from and after its passage.

APPROVED June 7, 1911.

#### SANITARY DISTRICTS—TERRITORY WITHIN ONE COUNTY.

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| § 1. Authority — petition — board of commissioners — hearing — election — ballot — record of election — organization. | § 9. Borrowing money — bond issue — limitation — referendum.           |
| § 2. Judicial notice — election of officers.  | § 10. Annual tax.  |
| § 3. Board of trustees — term — appointment — bond — disqualifications.   | § 11. Contracts.   |
| § 4. Officers and employes — compensation — rules and regulations.  | § 12. Taxes for corporate purposes — interest on deposits.             |
| § 5. When ordinances take effect.   | § 13. Use of highways, streets, etc. — approval by Governor — proviso. |
| § 6. Proof of ordinances.   | § 14. Contracts for drainage, etc.                                     |
| § 7. Powers and duties of trustees — water works and sewage disposal.   | § 15. Condemnation proceedings.  |
| § 8. Acquisition and disposition of property.   | § 16. Right of way over public property.                               |
|   | § 17. Special assessments.   |
|   | § 18. Contracts with outside territory.                                |
|   | § 19. Water supply.  |
|   | § 20. Police powers.   |

(HOUSE BILL NO. 495. APPROVED JUNE 5, 1911.)

AN ACT to create sanitary districts, and to provide for sewage disposal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any area of contigu-

ous territory within the limits of a single county shall contain two or more incorporated cities, towns or villages owning and operating, either or any of them, a system or systems of water works and procuring a supply of water from Lake Michigan, and shall be so situated that the construction and maintenance of a common plant for the purification and treatment of sewage, and the maintenance of a common outlet for the drainage thereof will conduce to the preservation of the public health, the same may be incorporated as a sanitary district under this act, in the manner following: Any 300 legal voters resident within the limits of such proposed sanitary district may petition the county judge of the county in which they reside to cause the question to be submitted to the legal voters of such proposed district whether they will organize as a sanitary district under this Act. Such petition shall be addressed to the county judge, and shall contain a definite description of the territory intended to be embraced in such district, and the name of such proposed sanitary district: *Provided, however*, that no territory shall be included in any municipal corporation formed hereunder which is not situated within the limits of a city, incorporated town or village, or within three miles thereof, and no territory shall be included within more than one sanitary district under this Act. Upon the filing of such petition in the office of the county clerk of the county in which such territory is situated it shall be the duty of the county judge to call to his assistance two judges of the circuit court and such judges shall constitute a board of commissioners which shall have power and authority to consider the boundaries of any such proposed sanitary district, whether the same shall be described in such petition or otherwise. Notice shall be given by such county judge of the time and place where such commissioners will meet, by a publication inserted in one or more daily papers published in such county, at least twenty days prior to such meeting. At such meeting the county judge shall preside and all persons in such proposed sanitary district shall have an opportunity to be heard touching the location and boundary of such proposed district and make suggestions regarding the same, and such commissioners, after hearing statements, evidence and suggestions, shall fix and determine the limits and boundaries of such proposed district, and for that purpose and to that extent, may alter and amend such petition. After such determination by said commissioners, or a majority of them, the county judge shall submit to the legal voters of the proposed sanitary district the question of the organization and establishment of the proposed sanitary district, as determined by said commissioners, at an election to be held on the first Tuesday after the first Monday in November thence next ensuing, notice whereof shall be given by said commissioners, at least twenty days prior thereto by publication in one or more daily papers published within such proposed sanitary district, such notice to specify briefly the purpose of such election, with a description of such proposed district. Each legal voter resident within such proposed sanitary district shall have the right to cast a ballot at such election, with the words thereon, "For Sanitary District," or, "Against Sanitary District." The ballots so cast shall be

received, returned and canvassed in the same manner and by the same officers as is provided by law in the case of ballots cast for county officers. The county judge shall cause a statement of the result of such election to be spread upon the records of the county court. If a majority of the votes cast upon the question of the incorporation of the proposed sanitary district, shall be in favor of the proposed sanitary district, such proposed district shall thenceforth be deemed an organized sanitary district under this Act.

§ 2. All courts in this State shall take judicial notice of the existence of all sanitary districts organized under this Act. Upon the organization of any sanitary district under this Act the county judge shall call an election to elect officers and cause notice thereof to be posted or published, and perform all other acts in reference to such election in like manner as nearly as may be, as he is required to perform in reference to the election of officers in newly organized cities under the provisions of an Act entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 1872.

§ 3. A board of trustees, consisting of five members, for the government, control and management of the affairs and business of each sanitary district organized under this Act shall be created in the following manner, to-wit:

Within twenty (20) days after the adoption of said Act, as provided in section one (1) hereof, the said county judge shall call a meeting of the said board of commissioners, consisting of himself and two circuit judges, and thereupon said board shall proceed to divide said sanitary district into five wards for the purpose of selecting trustees therefrom, and shall appoint one trustee for each of such wards: *Provided*, the population in no one of such wards shall exceed one-fourth of the population of the whole district: *And, provided, further*, that the territory in each of said wards shall be composed of contiguous territory in as compact form as practicable. It shall be the duty of said board of commissioners at least every five years to re-apportion said district, so that the respective wards shall conform as nearly as practicable with the above requirements as to population, shape and territory.

Said trustees shall hold their offices for four years, and until their successors are selected and qualified, except that the first board appointed shall only hold office for three (3) years from and after the first Monday of October next after their appointment, and thereafter the term of such appointment shall be for four years next after the first Monday in October of the year in which they are appointed, and the said board of commissioners, after the first selection, shall be made up of the county judge of the county in which said district is located, and the two judges of the circuit court of the judicial district in which said sanitary district is located, residing in or closest to said district.

Said board shall, during the month of October of every fourth year, or as soon thereafter as may be, appoint or re-appoint the members of



said board. The order of appointment shall be signed by not less than two of said commissioners and shall be spread of record on the records of the county court of the county in which said district is located.

Said board of commissioners shall also require each of said trustees to enter into bond, with security to be approved by such county judge, in such sum as said board may determine.

No trustee or employé of such district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or other property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said district.

§ 4. The trustees elected in pursuance of the foregoing provisions of this Act shall constitute a board of trustees for the district by which they are elected, which board of trustees is hereby declared to be the corporate authorities of such sanitary district, and shall exercise all the powers and manage and control all the affairs and property of such district. Said board of trustees shall have the right to elect a clerk, treasurer, chief engineer and attorney for such municipality, who shall hold their respective offices during the pleasure of the board, and who shall give such bond as may be required by said board. Said board may prescribe the duties and fix the compensation of all the officers and employés of said sanitary district: *Provided, however,* that the salary of the president of the said board of trustees shall in no case exceed the sum of one thousand dollars per annum; and the salary of the other members of said board shall not exceed five hundred dollars per annum: *And, provided, further,* that the amount received by any attorney shall not exceed the sum of two thousand dollars (\$2,000) per annum. Said board of trustees shall have full power to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of said board of trustees and of said corporation, and for carrying into effect the objects for which such sanitary district is formed.

§ 5. All ordinances imposing any penalty or making any appropriations shall, within one month after they are passed, be published at least once in a newspaper published in such district, or if no such newspaper of general circulation is published therein, by posting copies of the same in three public places in the district; and no such ordinance shall take effect until ten days after it is so published, and all other ordinances, orders and resolutions, shall take effect from and after their passage unless otherwise provided therein.

§ 6. All ordinances, orders and resolutions, and the date of publication thereof, may be proven by the certificate of the clerk, under the seal of the corporation, and when printed in book or pamphlet form, and purporting to be published by the board of trustees, such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, orders and resolution, as of the dates mentioned in such book, or pamphlet in all courts and places without further proof.

§ 7. The board of trustees of any sanitary district organized under this Act shall have power to provide for the disposal of the sewage thereof and to save and preserve the water supplied to the inhabitants of such district from contamination and for that purpose may construct and maintain an enclosed conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, and by means of pumps or otherwise cause such sewage to flow or to be forced through such conduit or conduits, pipe or pipes to and into any ditch or canal constructed and operated by any other sanitary district, after having first acquired the right so to do, or such board may provide for the drainage of such district by laying out, establishing, constructing and maintaining one or more channels, drains, ditches and outlets for carrying off and disposing of the drainage (including the sewage) of such district, together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed, in a satisfactory manner, including pumps and pumping stations and the operation of the same. Such board may also treat and purify such sewage so that when the same shall flow into any lake, it will not injuriously contaminate the waters thereof, and may adopt any other feasible method to accomplish the object for which such sanitary district may be created, and may also provide means whereby the said sanitary district may reach and procure supplies of water for diluting and flushing purposes: *Provided, however,* that nothing herein contained shall be construed to empower or authorize such board of trustees to operate a system of water works for the purpose of furnishing or delivering water to any such municipality or to the inhabitants thereof. Nothing in this Act contained shall authorize said trustees to flow the sewage of such district into Lake Michigan and any such plan for sewage disposal by any sanitary district organized hereunder is hereby prohibited.

§ 8. Such sanitary district may acquire by purchase, condemnation, or otherwise any and all real and personal property, right of way and privilege, either within or without its corporate limits that may be required for its corporate purposes; and in case any district formed hereunder shall be unable to agree with any other sanitary district upon the terms under which it shall be permitted to use the drains, channels or ditches of such other sanitary district, the right to so use the same may be acquired by condemnation in any court of competent jurisdiction by proceedings in the manner, as near as may be, as is provided in and by an Act entitled "An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts;" approved and in force May 29, 1879. The compensation to be paid for such use may be a gross sum, or it may be in the form of an annual rental, to be paid in yearly installments as and in the manner provided by the judgment or decree of the court wherein such proceedings may be had: *Provided,* all moneys for the purchase and condemnation of any property shall

be paid before possession is taken, or any work done on the premises damaged by the construction of such channel or outlet, and in case of an appeal from the county court taken by either party whereby the amount of damages is not finally determined, then possession may be taken, provided that the amount of judgment in such court shall be deposited at some bank to be designated by the judge thereof, subject to the payment of such damages on orders signed by such county judge, whenever the amount of damages is finally determined; and when not longer required for such purposes, to sell, convey, vacate and release the same.

§ 9. The corporation may borrow money for corporate purposes and may issue bonds therefor, but shall not become indebted, in any manner, or for any purpose, to an amount in the aggregate to exceed five per centum on the valuation of taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness: *Provided, however*, that no such bonds shall be issued except in compliance with the provisions of an Act approved June 4, 1909, entitled "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town."

§ 10. At the time or before incurring any indebtedness, the board of trustees shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof as the same shall fall due, and at least within twenty years from the time of contracting the same.

§ 11. All contracts for work to be done by such municipality, the expense of which will exceed five hundred dollars, shall be let to the lowest responsible bidder therefor upon not less than thirty days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in said district, and the said board shall have the power and authority to reject any and all bids, and re-advertise.

And in all other respects such contracts shall be entered into and the performance thereof controlled by the provisions of an Act entitled "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as near as may be: *Provided*, that contracts may be let for making proper and suitable connections between the mains and outlets of the respective sanitary sewers in said district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district.

§ 12. The board of trustees may levy and collect other taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which for each year shall not exceed one-half of one per centum of the value of the taxable property within the corporate limits, as the same shall be assessed and equalized for the State and county taxes of the year in which levy is made. Said board shall cause the amount required to be raised by taxation in each

year to be certified to the county clerk on or before the second Tuesday in August, as provided in section one hundred and twenty-two of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district in the manner and at the time provided by the general revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depositary, require such bank or other depositary to pay the same rates of interest for such moneys deposited as such bank or other depositary is accustomed to pay to depositors under like circumstances, in the usual course of its business. All interest so paid shall be placed in the general funds of the district, to be used as other moneys belonging to such district raised by general taxation or sale of water.

§ 13. Every such district is authorized to construct, maintain, alter and extend its sewers, channels, ditches and drains, as a proper use of highways along, upon, under and across any highway, street, alley or public ground in the State, but so as not to incommode the public use thereof, and the right and authority are hereby granted to any such district to construct, maintain and operate any conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, in, upon and along any of the lands owned by said State under any of the public waters therein: *Provided*, that the extent and location of the lands and waters so to be used and appropriated shall be approved by the Governor of said State of Illinois, upon application duly made to him asking for such approval: *And, provided, further*, that the rights, permission and authority hereby granted shall be subject to all public right of commerce and navigation, and to the authority of the United States in behalf of such public rights, and also to the right of said State of Illinois to regulate and control fishing in said public waters.

§ 14. Whenever there shall be located within the bounds of any such sanitary district organized under the provisions of this Act, any United States military post, reservation or station, or any naval station, or any gas works, sugar refinery or glucose works, or any other concern or establishment requiring drainage, the said board of trustees of such district are hereby authorized to enter into contracts or agreements with the War Department, or other proper authorities of the United States, or with the owners or operators of any such gas works, sugar refinery, glucose works, or any other concern, permitting them to connect with any such conduit or conduits, main pipe or pipes, and discharge the drainage, sewage or other impure or contaminated liquids therein.

§ 15. Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause



compensation therefor to be ascertained, and condemn and acquire possession thereof in the same manner as nearly as may be as is provided in an Act entitled "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872: *Provided, however,* that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases, be instituted in the county where the property sought to be taken or damaged is situated: *And, provided,* that all damages to property whether determined by agreement or by final judgment of court shall be paid, prior to the payment of any other debt or obligation.

§ 16. When, in making any improvements which any district is authorized by this Act to make, it shall be necessary to enter upon and take possession of any existing drains, sewers, sewer outlets, plants for the purification of sewage or water, or any other public property, or property held for public use, the board of trustees of such district shall have the power so to do and may acquire the necessary right of way over any other property held for public use in the same manner as is herein provided for acquiring private property, and may enter upon, and use the same for the purposes aforesaid: *Provided,* the public use thereof shall not be unnecessarily interrupted or interfered with, and that the same shall be restored to its former usefulness as soon as practicable.

§ 17. In making any special assessment for any improvement which requires the taking or damaging of property, the cost of acquiring the right to damage or take such property may be estimated and included in the assessment as a part of the cost of making such improvement.

§ 18. Any district formed hereunder shall have the right to permit territory lying outside its limits whether within any other sanitary district or not to drain into and use any channel or drain made by it, upon such payments, terms and conditions as may be mutually agreed upon, and any district formed hereunder is hereby given full power and authority to contract for the right to use any drain or channel which may be made by any other sanitary district, upon such terms as may be mutually agreed upon, and to raise the money called for by any such contract in the same way and to the same extent as such district is authorized to raise money for any other corporate purposes.

§ 19. Whenever in any such sanitary district there shall be a city, incorporated town or village, which owns a system of waterworks and supplies water from a lake or other source which will be saved and preserved from sewage pollution, or other contamination, by the board of trustees of such district in the exercise of the powers and authority by this Act conferred, and there shall be in such sanitary district any city, incorporated town or village, which does not own or operate any system of waterworks, at the time of the creation of such sanitary district, then upon application by the corporate authorities of such latter named city, incorporated town or village the corporate authorities of such city, incorporated town or village having such system of waterworks shall, by means of its waterworks, furnish and deliver water at

some convenient and reasonable point in its boundary line to the corporate authorities asking for the same in such quantities as may be required to supply consumers within said territory, at no greater price or charge than it charges and collects of consumers within its limits for water furnished through meters in like quantities, and shall also furnish water in like manner at like rates to private property owners in such district for the use and benefit of private property in said district which is not situated within the corporate limits of any such city, town or village.

§ 20. The board of trustees of any such sanitary district shall have power and authority to prevent the pollution of any waters from which a water supply may be obtained by any city, town or village within said district, and shall have the right and power to appoint and support a sufficient police force, the members of which may have and exercise police powers over the territory within such drainage district, and over the waters from which said water supply may be obtained, for a distance of three miles from the shore thereof, for the purpose of preventing the pollution of said waters, and any interference with any of the property of such drainage district; but such police officers when acting within the limits of any such city, town or village shall act in aid of the regular police force thereof, and shall then be subject to the direction of its chief of police, city or village marshals or other head thereof: *Provided*, that in so doing they shall not be prevented or hindered from executing the orders and authority of said board of trustees of such drainage district.

APPROVED June 5, 1911.

#### SANITARY DISTRICTS—TRUSTEES UNDER ACT OF 1889.

§ 1. Amends section 4, Act of 1889.

§ 4. As amended, changes limitation of salaries and provides for private secretaries to president of board and trustees.

(HOUSE BILL NO. 479. APPROVED MAY 27, 1911.)

AN ACT to amend section four (4) of an Act entitled, "*An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois rivers*," approved May 29th, 1889, in force July 1st, 1889; as amended by an Act approved June 10th, 1895, in force July 1st, 1895; as amended by an Act approved May 13, 1897, in force July 1, 1897; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 11, 1905, in force July 1, 1905; as amended by an Act approved May 13, 1905, in force July 1, 1905; as amended by an Act approved February 27, 1907, in force February 27, 1907; as amended by an Act approved May 25, 1907, in force July 1, 1907; as amended by an Act approved June 14, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four (4) of an Act

entitled, "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois rivers," approved May 29, 1889, in force July 1, 1889; as amended by an Act approved June 10, 1895, in force July 1, 1895; as amended by an Act approved May 13, 1897, in force July 1, 1897; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 11, 1905, in force July 1, 1905; as amended by an Act approved May 13, 1905, in force July 1, 1905; as amended by an Act approved February 27, 1907, in force February 27, 1907; as amended by an Act approved May 25, 1907, in force July 1, 1907; as amended by an Act approved June 14, 1909, in force July 1, 1909; be amended so as to read as follows:

§ 4. The trustees elected in pursuance of the foregoing provisions of this Act shall constitute a board of trustees for the district by which they are elected, which board of trustees is hereby declared to be the corporate authorities of such sanitary district, and shall exercise all the powers and manage and control all the affairs and property of such district. Said board of trustees shall have the right to elect a clerk, treasurer, chief engineer and attorney for such municipality, who shall hold their respective offices during the pleasure of the board, who shall give bond as may be required by said board. Said board may prescribe the duties and fix the compensation of all the officers and employes of said sanitary district: *Provided, however*, that the salary of the president of said board of trustees who shall be elected at any election held subsequent to the year 1910 shall in no case exceed seven thousand five hundred dollars (\$7,500.00) per annum and the salary of each of the other trustees elected subsequent to the year 1910, shall not exceed five thousand dollars (\$5,000.00) per annum. Any incumbent of the office of trustee (excepting said president) whose term is now running and does not expire until after the passage of this Act may appoint a private secretary, and such appointment shall remain in force until revoked by the trustee making the same, and such secretary shall receive a salary at the rate of two thousand dollars (\$2,000.00) per annum, payable monthly. No trustee (excepting the president) shall be entitled to appoint such private secretary during such time as he shall receive the maximum salary herein authorized. Any incumbent of the office of president heretofore or hereafter elected may appoint a private secretary, which secretary shall receive a salary not to exceed three thousand five hundred dollars (\$3,500.00) per annum, payable monthly. Any such appointment made by the president shall remain in force until revoked by such president or until the expiration of his term of office.

Said board of trustees shall have full power to pass all necessary ordinances, orders, rules, resolutions and regulations for the proper management and conduct of the business of said board of trustees and of said corporation and for carrying into effect the object for which such sanitary district is formed. All ordinances, orders, rules, resolutions and regulations passed by said board of trustees shall, before they take effect, be approved by the president of said board of trustees, and if he shall

approve thereof, he shall sign the same, and such as he shall not approve he shall return to the board of trustees with his objections thereto in writing at the next regular meeting of said board of trustees occurring after the passage thereof. Such veto may extent [extend] to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto extends to a part of such ordinance, the residue thereof shall take effect and be in force, but in case the president of such board of trustees shall fail to return any ordinance, order, rule, resolution or regulation with his objections thereto by the time aforesaid, he shall be deemed to have approved the same, and the same shall take effect accordingly. Upon the return of any ordinance, order, rule, resolution or regulation by the president, the vote by which the same was passed shall be reconsidered by the board of trustees, and if upon such reconsideration two-thirds of all the members elect shall agree by yeas and nays to pass the same it shall go into effect notwithstanding the president may refuse to approve thereof.

APPROVED May 27, 1911.

## DRAM SHOPS.

### INTOXICATING LIQUOR NEAR SOLDIERS' AND SAILORS' HOME.

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|-------------------------------------|---------------|
| § 1. Within what distance unlawful. | § 3. Penalty. |
| § 2. Shift or device.               |               |

(HOUSE BILL NO. 316. APPROVED JUNE 10, 1911.)

AN ACT *prohibiting the sale, distribution or gift of malt, spirituous, vinous or intoxicating liquors near any soldiers' and sailors' home owned or maintained by the State of Illinois, and providing a penalty for the violation thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That on and after the first day of July, A. D. 1911, it shall be unlawful to sell, distribute or give away any malt, spirituous, vinous or intoxicating liquors within two-thirds of a mile of the boundary line or lines of land owned or maintained by the State of Illinois as a soldiers' and sailors' home in this State.

§ 2. Any shift or device to evade the provisions of this Act shall be held to be a violation of this Act.

§ 3. Any person, by himself, agent or employé, violating the provisions of the foregoing sections of this Act shall, upon conviction for the first offense, be fined in any sum not less than \$25.00 nor exceeding \$100.00, and for each subsequent offense be fined not less than \$50.00 nor more than \$200.00, and shall be imprisoned in the county jail not less than ten days nor more than ninety days.

APPROVED June 10, 1911.



## ELECTIONS.

## ACT OF 1891—CERTIFICATES OF NOMINATION AND BALLOTS.

§ 1. Amends sections 13 and 14, Act of 1891.

§ 13. As amended, order of names of candidates determined by number of votes each received or order on petition.

§ 14. As amended, names of candidates shall be printed on ballot in the order certified by Secretary of State.

(HOUSE BILL NO. 419. APPROVED JUNE 5, 1911.)

AN ACT to amend sections 13 and 14 of an Act entitled, "*An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot,*" approved June 22, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 13 and 14 of an Act entitled, "*An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot,*" approved June 22, 1891, in force July 1, 1891, be and the same are hereby amended to read as follows:

§ 13. Not less than fifteen days before an election to fill any public office the Secretary of State shall certify to the county clerk of each county within which any of the electors may by law vote for candidates for such office, the name and description of each person nominated for such office, as specified in the certificates of nomination filed with the Secretary of State. In making his certificate to the several county clerks, where the name of more than one candidate has been nominated by the same political party for any given office, it shall be the duty of the Secretary of State to certify the names of such candidates in the manner following, to-wit: The name of the candidate of such party for such office receiving the highest number of votes in the primary election as a candidate for such office, as shown by the official returns on file in his office shall be certified first under the name of such office, and the names of the remaining candidates of such party for such office shall follow in the order of the number of votes received by them respectively at the primary election, determined by official returns on file as aforesaid. The names of candidates of any group of petitioners shall be certified to the several county clerks in the order in which such names appear on the petitions on file in his office.

§ 14. The names of all candidates to be voted for in each election district or precinct shall be printed on one ballot; all nominations of any political party or group of petitioners being placed under the party appellation or title of such party or group as designated by them in

their certificates of nomination or petitions, or if none be designated, then under some suitable title, and the ballot shall contain no other names, except that in case of electors for president and vice-president of the United States, the names of the candidates for president and vice-president may be added to the party or political designation. If a constitutional amendment or other public measure is submitted to a vote, such question shall be printed upon the ballot after the list of candidates, and words calculated to aid the voter in his choice of candidates or to answer any question submitted to vote may be added, such as, "Vote for one," "Vote for three," "Yes," "No," or the like. On the back or outside of the ballot, so as to appear when folded, shall be printed the words, "Official ballot," followed by the designation of the polling place for which the ballot is prepared, the date of the election and a *facsimile* of the signature of the clerk or other officer who has caused the ballots to be printed. The ballots shall be of plain white paper, through which the printing or writing can not be read. The party appellation or title shall be printed in capital letters, not less than one-fourth of an inch in height and a circle one-half inch in diameter shall be printed at the beginning of the line in which such appellation or title is printed. The names of candidates shall be printed in capital letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which a name of a candidate is printed a square shall be printed, the sides of which shall not be less than one-fourth of an inch in length. The list of candidates of the several parties and groups of petitioners shall be placed in separate columns on the ballot in such order as the authorities charged with the printing of the ballots shall decide: *Provided*, that the names of the candidates of the several political parties, and groups of petitioners, certified by the Secretary of State to the several county clerks, shall be printed by the county clerk of the proper county on the official ballot in the order certified by the Secretary of State. Any county clerk refusing, neglecting or failing to print on the official ballot the names of candidates of the several political parties in the order certified by the Secretary of State shall be guilty of a misdemeanor and on conviction shall be fined in any sum not exceeding five hundred dollars and imprisoned in the county jail not less than ten days, and not more than thirty days.

As nearly as practicable the ballot shall be in the following form:

<input type="checkbox"/>	REPUBLICAN	<input type="checkbox"/>	DEMOCRATIC	<input type="checkbox"/>	PROHIBITION
<input type="checkbox"/>	For Governor	<input type="checkbox"/>	For Governor	<input type="checkbox"/>	For Governor
<input type="checkbox"/>	JOSEPH W. FIFER	<input type="checkbox"/>	JOHN M. PALMER	<input type="checkbox"/>	DAVID H. HARTS
<input type="checkbox"/>	For Lieutenant Governor	<input type="checkbox"/>	For Lieutenant Governor	<input type="checkbox"/>	For Lieutenant Governor
<input type="checkbox"/>	LYMAN B. RAY	<input type="checkbox"/>	ARTHUR J. BELL	<input type="checkbox"/>	JOS. L. WHITLOCK
<input type="checkbox"/>	For Secretary of State	<input type="checkbox"/>	For Secretary of State	<input type="checkbox"/>	For Secretary of State
<input type="checkbox"/>	I. N. PEARSON	<input type="checkbox"/>	NEWELL D. RICKS	<input type="checkbox"/>	JAMES R. HANNA

[And continuing in like manner as to all candidates to be voted for at such election.]

APPROVED June 5, 1911.

## CITY ELECTIONS—PAYMENT OF EXPENSES.

§ 1 Amends sections 5 and 6, Act of 1885.

§ 6. Audit of claims—warrants.

§ 5. Apportionment of expenses.

§ 2. Emergency.

(HOUSE BILL NO. 45. APPROVED MARCH 29, 1911.)

AN ACT to amend sections 5 and 6 of article 7 of an Act entitled "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 17, 1895, in force July 1, 1895, as amended by an Act approved June 9, 1897, in force July 1, 1897, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved May 25, 1907, in force July 1, 1907, as amended by an Act approved June 10, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 5 and 6 of article 7 of an Act entitled "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 17, 1895, in force July 1, 1895, as amended by an Act approved June 9, 1897, in force July 1, 1897, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved May 25, 1907, in force July 1, 1907, as amended by an Act approved June 10, 1909, in force July 1, 1909, be and the same are hereby amended so as to read as follows:

§ 5. At all general, county and State elections, which include officers elected through the whole county, though other than State and county officers are also elected, and at all exclusively judicial elections, and at all special elections for a county or State officer, or member of Congress or member of the Legislature, such county shall pay such judges and clerks of election for their services under this Act.

At all township elections, general or special, held for the election of township officers only, for any township or townships of which said city may be a part, such township or townships shall pay the judges and clerks for their services at such election and at any registration preceding such election and all expenses connected with such registration and election and it shall be the duty of the board of election commissioners in cities lying in two or more townships to apportion such expenses and salaries of judges and clerks among the several townships according to the benefits received.

§ 6. Said board of election commissioners shall audit all claims of judges and clerks of election and shall draw a warrant therefor upon such city, county or township treasury, as the case may be.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in full force from and after its passage.

APPROVED March 29, 1911.



## EMPLOYMENT.

## BASEMENTS AS WORK ROOMS—USE OF CERTAIN BELTS OR WHEELS.

- § 1. Prohibits operation of certain belts | § 2. Penalty.  
or wheels in basements, etc.

(HOUSE BILL NO. 410. APPROVED JUNE 5, 1911.)

AN ACT *in relation to the use of basements or rooms lying wholly or partly beneath the surface of the ground as work rooms.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person shall be employed to operate any emery wheels or emery belts of any description, either leather, leather covered, felt, canvas paper, cotton, or wheels or belts rolled or coated with emery, corundum or cotton, or wheels used as buffs, in any basement so-called, or in any room lying wholly or partly beneath the surface of the ground.

§ 2. Any person, company, corporation or manager or director of any such company or corporation who shall fail to comply with the provisions of section one (1) of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine of not less than twenty-five (25) dollars and not more than two hundred dollars (\$200.00).

APPROVED June 5, 1911.

## COMPENSATION FOR ACCIDENTAL INJURIES OR DEATH.

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| <p>§ 1. Employer may elect to pay or not to pay compensation—notice to be filed—failure—liability—may discontinue to pay—notice—duty of employé and employer.</p> <p>§ 2. To what industries Act applies—exceptions.</p> <p>§ 3. Employé's right to recover damages.</p> <p>§ 4. Amount of compensation for injury resulting in death—how and to whom paid.</p> <p>§ 5. Compensation for disability—period, etc.—permanent disfigurement—arbitration—complete disability—period and amount to be paid—when compensation during life—payment in case of death—complete disability employé may ask for lump sum—fixing amount of disability payments.</p> <p>§ 5½. Payment of compensation in lump sum.</p> <p>§ 6. Basis for computing compensation.</p> | <p>§ 7. Compensation measure of responsibility of employer.</p> <p>§ 8. When compensation not allowed.</p> <p>§ 9. Employé entitled to disability payments may be required to submit to examination by surgeon.</p> <p>§ 10. Questions of law or fact as to compensation determined by agreement or arbitration—procedure.</p> <p>§ 11. Persons entitled to compensation have preferential claim against property.</p> <p>§ 12. Contract or agreement as to any claim, when fraudulent.</p> <p>§ 13. Employé no power to waive any provisions of this Act.</p> <p>§ 14. Notice of accident to employer—claim for compensation.</p> <p>§ 15. Existing insurance etc., not disturbed by this Act.</p> |
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COMPENSATION FOR ACCIDENTAL INJURIES OR DEATH—*Concluded.*

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| <p>§ 16. Inability to recover compensation from employer—person entitled subrogated to employers' rights.</p> <p>§ 17. Where pay of compensation creates legal liability—damages.</p> <p>§ 18. Agreement or award reviewed.</p> <p>§ 19. Accidents to be reported by employers to Bureau of Labor Statistics.</p> | <p>§ 20. Contractors—liability.</p> <p>§ 21. Employé defined.</p> <p>§ 22. Construction of section 21.</p> <p>§ 23. Penalties.</p> <p>§ 23½. Right of action for injuries.</p> <p>§ 24. Constructions.</p> <p>§ 25. In force May 1, 1912.</p> |
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(SENATE BILL NO. 283. APPROVED JUNE 10, 1911.)

AN ACT to promote the general welfare of the People of this State, by providing compensation for accidental injuries or death suffered in the course of employment.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any employer covered by the provisions of this Act in this State may elect to provide and pay compensation for injuries sustained by any employé arising out of and in the course of the employment according to the provisions of this Act, and thereby relieve himself from any liability for the recovery of damages, except as herein provided. If, however, any such employer shall elect not to provide and pay the compensation to any employé who has elected to accept the provisions of this Act, according to the provisions of this Act he shall not escape liability for injuries sustained by such employé arising out of and in the course of his employment because

1. The employé assumed the risks of the employer's business.
2. The injury or death was caused in whole or in part by the negligence of a fellow servant.
3. The injury or death was proximately caused by the contributory negligence of the employé, but such contributory negligence shall be considered by the jury in reducing the amount of damages.

a. Every such employer is presumed to have elected to provide and pay the compensation according to the provisions of this Act, unless and until notice in writing of his election to the contrary is filed with the State Bureau of Labor Statistics.

b. Every employer within the provisions of this Act failing to file such notice shall be bound hereby as to all his employés who shall elect to come within the provisions of this Act until January 1st of the next succeeding year and for terms of each year thereafter: *Provided*, any such employer may elect to discontinue the payments of compensation herein provided only at the expiration of any such calendar year, by filing notice of his intention to discontinue such payments, with the State Bureau of Labor Statistics, at least sixty days prior to the expiration of any such calendar year, and by posting such notice in the plant, shop, office or place of work, or by personal service, in written or printed form, upon such employé, at least sixty days prior to the expiration of any such calendar year.

c. In the event any employer elects to provide and pay compensation provided in this Act, then every employé of such employer, as a part of his contract of hiring or who may be employed at the time of the taking effect of this Act and the acceptance of its provisions by the employer, shall be deemed to have accepted all the provisions of this Act and shall be bound thereby unless within thirty days after such hiring and after the taking effect of this Act, he shall file a notice to the contrary with the secretary of the State Bureau of Labor Statistics, whose duty it shall be to immediately notify the employer, and if so notified, the employer shall not be deprived of any of his common law or statutory defenses, and until such notice to the contrary is given to the employer, the measure of liability of the employer for any injury shall be determined according to the compensation provisions of this Act: *Provided, however,* that before any such employé shall be bound by the provisions of this Act, his employer shall either furnish to such employé personally at the time of his hiring, or post in a conspicuous place at the plant or in the room or place where such employé is to be employed, a legible statement of the compensation provisions of this Act.

§ 2. The provisions of this Act shall apply to every employer in the State engaged in the building, maintaining or demolishing of any structure; in any construction or electrical work; in the business of carriage by land or water and loading and unloading in connection therewith (except as to carriers who shall be construed to be excluded herefrom by the laws of the United States relating to liability to their employés for personal injuries while engaged in interstate commerce where such laws are held to be exclusive of all State regulations providing compensation for accidental injuries or death suffered in the course of employment); in operating general or terminal store-houses; in mining, surface mining, or quarrying; in any enterprise, or branch thereof, in which explosive materials are manufactured, handled or used in dangerous quantities; in any enterprise wherein molten metal or injurious gases or vapors or inflammable fluids are manufactured, used, generated, stored or conveyed in dangerous quantities; and in any enterprise in which statutory regulations are now or shall hereafter be imposed for the guarding, using or the placing of machinery or appliances, or for the protection and safe-guarding of the employés therein, each of which employments is hereby determined to be especially dangerous, in which from the nature, conditions and means of prosecution of the work therein, extraordinary risks to life and limb of the employé engaged therein are inherent, necessary or substantially unavoidable, and as to each of which employments it is deemed necessary to establish a new system of compensation for accidents to the employés therein.

§ 3. No common law or statutory right to recover damages for injury or death sustained by any employé while engaged in the line of his duty as such employé other than the compensation herein provided shall be available to any employé who has accepted the provisions of this Act

or to any one wholly or partially dependent upon him or legally responsible for his estate: *Provided*, that when the injury to the employé was caused by the intentional omission of the employer, to comply with statutory safety regulations, nothing in this Act shall affect the civil liability of the employer. If the employer is a partnership, such omission must be that of one of the partners thereof, and if a corporation, that of any elective officer thereof.

§ 4. The amount of compensation which the employer who accepts the provisions of this Act shall pay for injury to the employé which results in death, shall be:

a. If the employé leaves any widow, child or children, or parents or other lineal heirs to whose support he had contributed within five years previous to the time of his death, a sum equal to four times the average annual earnings of the employé, but not less in any event than one thousand five hundred dollars, and not more in any event than three thousand five hundred dollars. Any weekly payments, other than necessary medical or surgical fees, shall be deducted in ascertaining such amount payable on death.

b. If the employé leaves collateral heirs dependent upon his earnings, such a percentage of the sum provided in section "a" as the contributions which deceased made to the support of these dependents, bore to his earnings.

c. If the employé leaves no widow or child or children, parents or lineal or collateral heirs dependent upon his earnings, a sum not to exceed one hundred and fifty dollars for burial expenses.

d. All compensation provided for in this section to be paid in case injury results in death, shall be paid in installments equal to one-half the average earnings, at the same intervals at which the wages or earnings of the employé were paid while he was living; or if this shall not be feasible, then the installments shall be paid weekly.

e. The compensation to be paid for injuries which result in death, as provided for in this section, shall be paid to the personal representative of the deceased employé and shall be distributed by such personal representative to the beneficiaries entitled thereto, in accordance with the laws of this State relating to the descent and distribution of personal property.

§ 5. The amount of compensation which the employer who accepts the provisions of this Act shall provide and pay for injury to the employé resulting in disability shall be:

a. Necessary first aid, medical, surgical and hospital services, also medicine and hospital services for a period not longer than eight weeks, not to exceed, however, the amount of \$200.00, also necessary services of a physician or surgeon during such period of disability, unless such employé elects to secure his own physician or surgeon.

b. If the period of disability lasts for more than six working days, and such fact is determined by the physician or physicians, as provided in section 9, compensation equal to one-half of the earnings, but not



less than \$5.00 nor more than \$12.00 per week, beginning on the eighth day of disability, and as long as the disability lasts, or until the amount of compensation paid equals the amount payable as a death benefit.

c. If any employé, by reason of any accident arising out of and in the course of his employment, receive any serious and permanent disfigurement to the hands or face, but which injury does not actually incapacitate the employé from pursuing his usual or customary employment so that it is possible to measure compensation in accordance with the scale of compensation and the methods of computing the same herein provided, such employé shall have the right to resort to the arbitration provisions of this Act for the purpose of determining a reasonable amount of compensation to be paid to such employé, but not to exceed one-quarter ( $\frac{1}{4}$ ) the amount of his compensation in case of death.

d. If after the injury has been received it shall appear upon medical examination as provided for in section 9, that the employé has been partially, though permanently incapacitated from pursuing his usual and customary line of employment, he shall receive compensation equal to one-half of the difference between the average amount which he earned before the accident, and the average amount which he is earning, or is able to earn in some suitable employment or business after the accident, if such employment is secured.

e. In the case of complete disability which renders the employé wholly and permanently incapable of work, compensation for the first eight years after the day the injury was received, equal to 50 per cent of his earnings, but not less than \$5.00 nor more than \$12.00 per week. If complete disability continues after the payment of a sum equal to the amount of the death benefit or after the expiration of the eight years, then a compensation during life, equal to 8 per cent of the death benefit which would have been payable had the accident resulted in death. Such compensation shall not be less than \$10.00 per month and shall be payable monthly.

(1) In case death occurs before the total of the payments made equals the amount payable as a death benefit, as provided in section 4, article a, then in case the employé leaves any widow, child or children, or parents, or other lineal heirs, they shall be paid the difference between the compensation for death and the sum of such payment, but in no case shall this sum be less than \$500.00.

(2) In cases of complete disability, after compensation has been paid at the specified rate for a term of at least six months, the employé shall have the privilege of filing a petition in accordance with article d of section 4 of this Act, asking for a lump sum payment of the difference between the sum of the payments received and the compensation to which he was entitled when such permanent disability has been definitely determined. For the purpose of this section, blindness or the total irrecoverable loss of sight, the loss of both feet at or above the ankle, the loss of both hands at or above the wrist, the loss of one hand and one foot, an injury to the spine resulting in permanent paralysis of the legs

or arms, and a fracture of the skull resulting in incurable imbecility or insanity, shall be considered complete and permanent disability: *Provided*, these specific cases of complete disability shall not, however, be construed as excluding other cases.

(3) In fixing the amount of the disability payments, regard shall be had to any payments, allowance or benefit which the employé may have received from the employer during the period of his incapacity, except the expenses of necessary medical or surgical treatment. In no event, except in cases of complete disability as defined above, shall any weekly payment payable under the compensation plan in this section provided exceed \$12.00 per week, or extend over a period of more than eight years from the date of the accident. In case an injured employé shall be incompetent at the time when any right or privilege accrues to him under the provisions of this Act, a conservator or guardian of the incompetent, appointed pursuant to law, may on behalf of such incompetent, claim and exercise any such right or privilege with the same force and effect as if the employé himself had been competent and had claimed or exercised said right or privilege; and no limitations of time by this Act provided, shall run so long as said incompetent employé had no conservator or guardian.

§ 5½. Any person entitled to compensation under this Act, or any employer who shall be bound to pay compensation under this Act, who shall desire to have such compensation, or any part thereof, paid in a lump sum, may petition any court of competent jurisdiction of the county in which the employé resided or worked at the time of disability or death, asking that such compensation be so paid, and if upon proper notice to the interested parties, and a proper showing made before such court, it appears to the best interest of the parties that such compensation be so paid, the court shall order payment of a lump sum, and where necessary, upon proper application being made, a guardian, conservator or administrator, as the case may be, shall be appointed for any person under disability who may be entitled to any such compensation, and an employer bound by the terms of this Act, and liable to pay such compensation, may petition for such appointment where no such legal representatives have been appointed or acting for such party or parties so under disability.

§ 6. The basis for computing the compensation provided for in sections 4 and 5 of the Act shall be as follows:

a. The compensation shall be computed on the basis of the annual earnings which the injured person received as salary, wages or earnings in the employment of the same employer during the year next preceding the injury.

b. Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the employé was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause.

c. The annual earnings if not otherwise determinable shall be regarded as 300 times the average daily earnings in such computation.

*d.* If the injured person has not been engaged in the employment for a full year immediately preceding the accident, the compensation shall be computed according to the annual earnings which persons of the same class in the same or in neighboring employments of the same kind have earned during such period. And if this basis of computation is impossible, or should appear to be unreasonable, three hundred times the amount which the injured person earned on an average on those days when he was working during the year next preceding the accident, shall be used as a basis for the computation.

*e.* In the case of injured employés who earn either no wage or less than three hundred times the usual daily wage or earnings of the adult day laborers in the same line of industry of that locality, the yearly wage shall be reckoned as three hundred times the average daily local wage.

*f.* As to employés in employments in which it is the custom to operate for a part of the whole number of working days in each year, such number shall be used instead of three hundred as a basis for computing the annual earnings, provided the minimum number of days which shall be used for the basis of the year's work shall be not less than two hundred.

*g.* Earnings, for the purpose of this section, shall be based on the earnings for the number of hours commonly regarded as a day's work for that employment, and shall exclude overtime earnings. The earnings shall not include any sum which the employer has been accustomed to pay the employé to cover any special expense entailed on him by the nature of his employment.

*h.* In computing the compensation to be paid to any employé who, before the accident for which he claims compensation, was disabled and drawing compensation under the terms of this Act, the compensation for each subsequent injury shall be apportioned according to the proportion of incapacity and disability caused by the respective injuries which he may have suffered.

§ 7. The compensation herein provided shall be the measure of the responsibility which the employer has assumed for injuries or death that may occur to employés in his employment subject to the provisions of this Act, and it shall not be in any way reduced by contributions from employés.

§ 8. If it is proved that the injury to the employé resulted from his deliberate intention to cause such injury, no compensation with respect to that injury shall be allowed.

§ 9. Any employé entitled to receive disability payments shall be required if requested by the employer to submit himself for examination at the expense of the employer to a duly qualified medical practitioner or surgeon selected by the employer, at a time and place reasonably convenient for the employé, as soon as practicable after the injury, and also one week after the first examination, and thereafter at intervals not oftener than once every four weeks, which examinations shall be for the purpose of determining the nature, extent and probable duration of the



injury received by the employé, and for the purpose of adjusting the compensation which may be due the employé from time to time for disability according to the provisions of sections 4 and 5 of this Act: *Provided, however*, that such examination shall be made in the presence of a duly qualified medical practitioner or surgeon provided and paid for by the employé, if such employé so desires, and in the event of a disagreement between said medical practitioners or surgeons as to the nature, extent or probable duration of said injury or disability, they may agree upon a third medical practitioner or surgeon, and, failing to agree upon such third medical practitioner or surgeon, the judge of the county court of the county where the employé resided or was employed at the time of the injury, shall within six days after petition filed in such court for that purpose, select a third medical practitioner or surgeon and the majority report of such three physicians as to the nature, extent and probable duration of such injury or disability shall be used for the purpose of estimating the amount of compensation payable under this Act. If the employé refuses so to submit himself to examination or unnecessarily obstructs the same, his right to compensation payments shall be temporarily suspended until such examination shall have taken place, and no compensation shall be payable under this Act during such period.

§ 10. Any question of law or fact arising in regard to the application of this law in determining the compensation payable hereunder shall be determined either by agreement of the parties or by arbitration as herein provided. In case any such question arises which cannot be settled by agreement, the employé and the employer shall each select a disinterested party and the judge of the county court, or other court of competent jurisdiction, of the county where the injured employé resided or worked at the time of the injury, shall appoint a third disinterested party, such persons to constitute a board of arbitrators for the purpose of hearing and determining all such disputed questions of law or fact arising in regard to the application of this law in determining the compensation payable hereunder; and it shall be the duty of both employé and employer to submit to such board of arbitrators not later than ten days after the selection and appointment of such arbitrators all facts or evidence which may be in their possession or under their control, relating to the questions to be determined by said arbitrators; and said board of arbitrators shall hear all the evidence submitted by both parties and they shall have access to any books, papers or records of either the employer or the employé showing any facts which may be material to the questions before them, and they shall be empowered to visit the place or plant where the accident occurred, to direct the injured employé to be examined by a regular practicing physician or surgeon, and to do all other acts reasonably necessary for a proper investigation of all matters in dispute. A copy of the report of the arbitrators in each case shall be prepared and filed by them with the State Bureau of Labor Statistics, and shall be binding upon both the employer and employé



except for fraud and mistake: *Provided*, that either party to such arbitration shall have the right to appeal from such report or award of the arbitrators to the circuit court or the court that appointed the third arbitrator of the county where the injury occurred by filing a petition in such court within twenty days after the filing of the report of the arbitrators, and upon filing a good and sufficient bond, in the discretion of the court, and upon such appeal the questions in dispute shall be heard *de novo*, and either party may have a jury upon filing a written demand therefor with his petition.

§ 11. Any person entitled to payment under the compensation provisions of this Act from any employer shall have the same preferential claim therefor against the property of the employer as is now allowed by law for a claim by such person against such employer for unpaid wages or for personal services, such preference to prevail against wage claims of all other employes, not entitled to compensation for injuries, and the payments due under such compensation provisions shall not be subject to attachment, levy, execution, garnishment or satisfaction of debts, except to the same extent and in the same manner as wages or earnings for personal service are now subject to attachment, levy, execution, garnishment or satisfaction of debts, under the laws of this State, and shall not be assignable. Any right to receive compensation hereunder shall be extinguished by the death of the person or persons entitled thereto, subject to the provisions of this Act relative to compensation for death received in the course of employment. No claim of any attorney at law for services in securing a recovery under this Act shall be an enforceable lien thereon unless the amount of the same be approved in writing by a judge of a court of record, which approval may be made in term time or vacation.

§ 12. Any contract or agreement made by any employer or his agent or attorney with any employe or any other beneficiary of any claim under the provisions of this Act within seven days after the injury shall be presumed to be fraudulent.

§ 13. No employe or beneficiary shall have power to waive any of the provisions of this Act in regard to the amount of compensation which may be payable to such employe or beneficiary hereunder.

§ 14. No proceedings for compensation under this Act shall be maintained unless notice of the accident has been given to the employer as soon as practicable after the happening thereof, and during such disability, and unless claim for compensation has been made within six months after the injury, except that in case of an accident resulting in temporary disability, notice of such accident must be given to the employer within thirty days after said accident; or in case of the death of the employe or in the event of his incapacity, within six months after such death or incapacity, or in the event that payments have been made under the provisions of this Act, within six months after such payments have ceased. No want or defect or inaccuracy of such notice shall be a bar to the maintenance of proceedings by arbitration or otherwise by the employe, unless the employer proves that he is unduly prejudiced in

such proceedings by such want, defect or inaccuracy. Notice of the accident shall, in substance apprise the employer of the claim of compensation made and shall state the name and address of the employé injured, the approximate date and place of the accident, if known, and in simple language the cause thereof; which notice may be served personally or by registered mail, addressed to the employer at his last known residence or place of business: *Provided*, that the failure on the part of any person entitled to such compensation to give such notice shall not relieve the employer from his liability for such compensation, when the facts and circumstances of such accident are known to such employer or his agent, supervising work in which such employé was engaged at the time of the injury.

§ 15. This Act shall not affect or disturb the continuance of any existing insurance, mutual aid, benefit, or relief association or department, whether maintained in whole or in part by the employer or whether maintained by the employés, the payment of benefits of such association or department being guaranteed by the employer or by some person, firm or corporation for him: *Provided*, the employer contributes to such association or department an amount sufficient to insure the employés or other beneficiary the full compensation herein provided, exclusive of the cost of the maintenance of such association or department without any expense to the employé. This Act shall not prevent the organization and maintaining under the insurance law of this State of any benefit or insurance company for the purpose of insuring against the compensation provided for in this Act, the expense of which is maintained by the employer. This Act shall not prevent the organization or maintaining under the insurance laws of this State of any voluntary mutual aid, benefit or relief association among employés for the payment of additional accident or sick benefits.

No existing insurance, mutual aid, benefit or relief association or department shall, by reason of anything herein contained, be authorized to discontinue its operation without first discharging its obligations to any and all persons carrying insurance in the same or entitled to relief or benefits therein.

Any contract of employment, relief benefit, or insurance or other device whereby the employé is required to pay any premium or premiums for insurance against the compensation provided for in this Act shall be null and void, and any employer withholding from the wages of any employé any amount for the purpose of paying any such premium shall be guilty of a misdemeanor and punishable by a fine of not less than ten dollars nor more than twenty-five dollars in each offense in the discretion of the court.

§ 16. Any person who shall become entitled to compensation under the provisions of this Act, shall, in the event of his inability to recover such compensation from the employer on account of his insolvency, be subrogated to all the rights of such employer against any insurance company or association which may have insured such employer against

loss growing out of the compensation required by the provisions of this Act to be paid by such employer, and in such case only, a payment of the compensation that has accrued to the person entitled thereto in accordance with the provisions of this Act, shall relieve such insurance company from such liability.

§ 17. Where the injury for which compensation is payable under this Act was caused under circumstances creating a legal liability in some person, other than the employer, to pay damages in respect thereof:

a. The employé or beneficiary may take proceedings both against that person to recover damages and against the employer for compensation, but the amount of the compensation which he is entitled to under this Act shall be reduced by the amount of damages recovered.

b. If the employé or beneficiary has recovered compensation under this Act, the employer by whom the compensation was paid or the person who has been called upon to pay the indemnity under sections 4 and 5 of this Act, may be entitled to indemnity from the person so liable to pay damages as aforesaid, and shall be subrogated to the rights of the employé to recover damages therefor.

§ 18. An agreement or award may, at any time after six months, and before eighteen months, from the date of filing, be reviewed, upon the application of either party, on the ground that the incapacity of the employé has subsequently increased or diminished. Such application shall be made to any court of competent jurisdiction; and unless the parties consent to arbitration, the court may appoint a medical practitioner to examine the employé and report upon his condition; and upon his report, and after hearing all the evidence the court may modify such agreement or award, as may be just, by ending, increasing or diminishing the compensation, subject to the limitations hereinbefore provided.

§ 19. It shall be the duty of every employer within the provisions of this Act to send to the secretary of the State Bureau of Labor Statistics in writing an immediate report of all accidents or injuries arising out of or in the course of the employment and resulting in death; it shall also be the duty of every such employer to report between the 15th and the 25th of each month to the secretary of the State Bureau of Labor Statistics all accidents or injuries for which compensation has been paid under this Act, which accidents or injuries entail a loss to the employé of more than one week's time, and in case the injury results in permanent disability, such report shall be made as soon as it is determined that such permanent disability has resulted or will result from such injury. All such reports shall state the date of the injury, including the time of day or night, the nature of the employer's business, the age, sex, conjugal condition of the injured person, the specific occupation of the injured person, the direct cause of the injury and the nature of the accident, the nature of the injury, the length of disability and, in case of death, the length of disability before death, the wages of the injured person, whether compensation has been paid to the injured per-



son, or to his legal representative or his heirs or next of kin, the amount of compensation paid, the amount paid for physicians', surgeons' and hospital bills, and by whom paid, and the amount paid for funeral or burial expenses, if known. The making of reports as provided herein shall release the employer covered by the provisions of this Act from making such reports to any other officer of the State.

§ 20. Any person, firm or corporation who undertakes to do or contracts with others to do, or have done for him, them or it, any work embraced in section 2 of this Act, requiring such dangerous employment of employé in, or about premises where he, they or it, as principal or principals, contract to do such work or any part thereof, and does not require that the compensation provided for in this Act shall be insured to the employé or beneficiary by any such person, firm or corporation undertaking to do such work and any such person, firm or corporation who creates or carries into operation any fraudulent scheme, artifice or device to enable him, them or it to execute such work without such person, firm or corporation being responsible to the employé or beneficiaries entitled to such compensation under the provisions of this Act, such person, firm or corporation shall be included in the term "employer" and with the immediate employer shall be jointly and severally liable to pay the compensation herein provided for, and be subject to all the provisions of this Act.

§ 21. The term "employé" as used in this Act shall be held to include only such persons as may be exposed to the necessary hazards of carrying on any employment or enterprise referred to in section 2 of this Act. Persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employers' trade or business, are not included in the foregoing definition.

§ 22. Section 21 shall not be construed to include any employé engaged in any work of an incidental character unconnected with the dangers necessarily involved in carrying on any employment or enterprise referred to in section 2, or in any work of a clerical or administrative nature which does not expose the employé to the inherent hazards of any such employment or enterprise.

#### PENALTIES.

§ 23. Any wilful neglect, refusal, or failure to do the things required to be done by any section, clause, or provision of this Act, on the part of the persons herein required to do them, or any violation of any of the provisions or requirements hereof, or any attempt to obstruct or interfere with any court officer, member of an arbitration board herein provided for, or with the secretary of the Bureau of Labor Statistics or his deputy, in the discharge of the duties herein imposed upon any of them, or any refusal to comply with the terms of this Act, shall be deemed a misdemeanor, punishable by a fine of not less than \$10.00 nor more than \$500, at the discretion of the court.

§ 23½. The right of action for damages caused by any such injury, at common law or other statute in force prior to the taking effect



hereof shall not be affected by this Act and every existing right of action for negligence or to recover damages for injury resulting in death, is continued and nothing in this Act shall be construed as limiting the right of such action so accrued before the taking effect of this Act.

§ 24. The invalidity of any portion of this Act shall in no way affect the validity of any other portion thereof which can be given effect without such invalid part.

§ 25. This Act shall take effect and be in force on and after the 1st day of May, 1912.

APPROVED June 10, 1911.

#### FACTORY INSPECTORS.

§ 1. Amends section 2, Act of 1907.

§ 2. Chief Factory Inspector—  
assistant — physician—  
deputies — salaries —  
duties—prosecutions.

(SENATE BILL NO. 264. APPROVED JUNE 5, 1911.)

AN ACT to amend section 2 of an Act entitled, "An Act to provide for the establishment of a department of factory inspection, providing for the appointment of factory inspectors and an attorney for the department and prescribing their duties and to repeal all Acts or parts of Acts in conflict therewith," approved June 3, 1907, and in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, "An Act to provide for the establishment of a department of factory inspection, providing for the appointment of factory inspectors and an attorney for the department and prescribing their duties, and to repeal all Acts in conflict therewith," approved June 3, 1907, and in force July 1, 1907, be amended to read as follows:

§ 2. The Governor shall, upon the taking effect of this Act, appoint a chief State factory inspector, whose duty it shall be to exercise general supervision over the Department of Factory Inspection and all of its inspectors, and secure the enforcement of all laws now in force or hereafter enacted relating to the inspection of factories, mercantile establishments, mills, workshops and commercial institutions in this State, and to perform such other duties as are now or may hereafter be prescribed by law to be performed by the Factory Inspector. The salary of such Chief State Factory Inspector shall be three thousand dollars (\$3,000.00) per annum and his term of office shall be four (4) years.

The Governor shall appoint, upon the taking effect of this Act, an assistant Chief Factory Inspector at a salary of two thousand two hundred and fifty [dollars] (\$2,250.00) per annum; one physician at a salary of fifteen hundred dollars (\$1,500.00) per annum; and thirty (30) deputy factory inspectors, who shall receive a salary of twelve hundred dollars (\$1,200.00) per annum, and an attorney for said department at a salary of fifteen hundred dollars (\$1,500.00) per annum.

The duties of the assistant Chief Factory Inspector, medical, expert and deputy inspectors, as herein provided, shall be the same as those now or hereafter imposed by law upon the Chief State Factory Inspector and the assistant Chief Factory Inspector and the deputy factory inspectors, and they shall be subject to the supervision and direction of the Chief State Factory Inspector in the discharge of such duties. Said Chief State Factory Inspector and the other inspectors provided for herein shall visit and inspect, at all reasonable hours, as often as practicable, the factories, mercantile establishments, mills, workshops and commercial institutions in this State, where goods, wares and merchandise are manufactured, stored, purchased or sold at wholesale or retail.

And the Chief State Factory Inspector shall report in writing to the Governor on the thirtieth (30th) day of June annually, the result of his inspections and investigations, together with such other information and recommendations as he may deem proper. And said inspectors shall make a special investigation into the conditions of labor in this State, or into any alleged abuses in connection therewith, whenever the Governor shall direct, and report the results of the same to the Governor.

It shall be the duty of the said inspectors to enforce the provisions of this Act, and perform such other duties as now are or shall hereafter be prescribed by law, and to prosecute all violations of law relating to the inspection of factories, mercantile establishments, mills, workshops and commercial institutions in this State before any magistrate or in any court of competent jurisdiction in this State.

And it shall be the duty of the State's attorney of the proper county, upon request of the Chief State Factory Inspector or his deputies, to prosecute any violation of law which it is made the duty of the factory inspectors to enforce. And it shall be the duty of the attorney for such department to prosecute, when requested by the Chief State Factory Inspector, any infractions or violations of law which is now or may be hereafter made the duty of the Factory Inspector to enforce.

Said Chief State Factory Inspector shall, by written order filed with the Governor, divide the State into inspection districts, due regard being had to the number of establishments and the amount of work required to be performed in each district. And he shall assign to each district a deputy inspector who shall have charge of the inspection in the district to which he is assigned, under the supervision of the Chief State Factory Inspector. The Chief State Factory Inspector may at any time, when in his discretion the good of the service requires, change a deputy inspector from one district to another, or re-assign the districts of the State among the several deputy inspectors under his charge. He may at any time, when the conditions are changed, or in his discretion the good of the service requires, by a like order filed with the Governor, re-divide the State into inspection districts, changing the territory embraced within the several districts as to him may seem advisable

APPROVED June 5, 1911.

## FEMALES—HOURS OF WORK.

§ 1. Amends title, sections 1 and 2 and adds section 5, Act of 1909.

§ 1. To what Act applies—ten hours a day—hours of work.

§ 2. Violations—penalty.

§ 5. Employer's time book—contents—inspection—violations—penalty.

[§ 2.] Title of Act.

(SENATE BILL No. 440. APPROVED JUNE 10, 1911.)

AN ACT to amend sections 1 and 2 of an Act entitled, "An Act to regulate and limit the hours of employment of females in any mechanical establishment or factory or laundry in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation; approved June 15, 1909, in force July 1, 1909"; and to add an additional section thereto to be known as section 5, and to amend the title of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 2 of an Act entitled, "An Act to regulate and limit the hours of employment of females in any mechanical establishment or factory or laundry in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation," be and the same are hereby amended, and an additional section to be known as section 5 be added thereto, and the title of said Act shall be amended and the same shall read as follows:

§ 1. That no female shall be employed in any mechanical or mercantile establishment, or factory, or laundry, or hotel, or restaurant, or telegraph or telephone establishment or office thereof, or in any place of amusement, or by any person, firm or corporation engaged in any express or transportation or public utility business, or by any common carrier, or in any public institution, incorporated or unincorporated in this State, more than ten hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of any day.

§ 2. Any employer who shall require or permit or suffer any female to work in any of the places mentioned in section 1 of this Act more than the number of hours provided for in this Act, during any day of twenty-four hours, or who shall fail, neglect or refuse so to arrange the work of females in his employ that they shall not work more than the number of hours provided for in this Act, during any one day, or who shall permit or suffer any overseer, superintendent or other agent of any such employer to violate any of the provisions of this Act, shall be guilty of a misdemeanor and upon conviction thereof shall be fined for each offense in a sum of not less than \$25.00 or more than \$100.00.

§ 5. Every employer to whom this Act shall apply, shall keep a time book or record showing for each day that his establishment is open the hours during which each and every female in his employ, to whom this Act applies, is employed. Such time book or record shall be open at

all reasonable hours to the inspection of the officials of the Factory Inspection Department. The failure or omission to keep such record, or a false statement contained therein, or any false statement made by any person to an official of the Factory Inspection Department, in reply to any question put in carrying out the provisions of this Act, shall be punishable on conviction by a penalty of not more than \$25 for each offense.

[§ 2.] The title of said Act shall be amended to read as follows: "An Act to regulate and limit the hours of employment of females in any mechanical or mercantile establishment, or factory, or laundry, hotel or restaurant, or telegraph or telephone establishment or office thereof, or in any place of amusement, or by any express or transportation or public utility business, or by any common carrier or in any public institution, incorporated or unincorporated, in this State, in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation."

APPROVED June 10, 1911.

#### MINERS' AND MECHANICS' INSTITUTES.

§ 1. Creation.

§ 2. Purpose.

§ 3. Administration vested in trustees of the University of Illinois.

§ 4. Printing.

(SENATE BILL NO. 259. APPROVED MAY 25, 1911.)

*AN ACT to prevent accidents in mines and other industrial plants and to conserve the resources of the State by the establishment of Illinois Miners' and Mechanics' Institutes and for the administration and support of the same.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That in order to prevent accidents in mines and other industrial plants and to conserve the resources of the State, by the education and training of all classes of workers in and about the mines and other industrial plants of the State, there shall be established and maintained a form of educational betterment work, which shall be known as the Illinois Miners' and Mechanics' Institutes.

§ 2. That it shall be the purpose of such Illinois Miners' and Mechanics' Institutes to promote the technical efficiency of all persons working in and about the mines and other industrial plants of the State and to assist them to better overcome the increasing difficulties of mining and other industrial employments. In the development of this purpose, any and all means may be employed which promise to give desired results such as bulletins, traveling libraries, lectures, correspondence work, classes for systematic instruction, or meetings for the reading and discussion of papers.

§ 3. That the administration of the Illinois Miners' and Mechanics' Institutes, as provided in section one hereof, shall vest in the trustees of the University of Illinois; that all money appropriated by the State for the purpose of this Act shall be made available to said trustees; and



that the said trustees be and hereby are authorized and directed to proceed with the work of the organization, maintenance and administration through their regularly authorized agents, aided by such other persons as in their judgment the work may require.

§ 4. The State Board of Contracts is hereby authorized and directed to provide all necessary printing for the Illinois Miners' and Mechanics' Institutes, including such bulletins as may be published from time to time by the Illinois Miners' and Mechanics' Institutes.

APPROVED May 25, 1911.

#### OCCUPATIONAL DISEASES.

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| <p>§ 1. Employers of labor to provide approved devices, etc., for prevention of diseases.</p> <p>§ 2. Processes and employments declared dangerous to health—working clothing and respirators to be provided and used.</p> <p>§ 3. Examination of employés by licensed physician.</p> <p>§ 4. Physician's report to State Board of Health.</p> <p>§ 5. Copy of physician's report transmitted to State Department of Factory Inspection.</p> <p>§ 6. Dressing room and lavatory requirements.</p> <p>§ 7. Food and drink regulations.</p> | <p>§ 8. Disposal of injurious fumes, dust, etc.—mixing rooms.</p> <p>§ 9. Cleaning out flues—washing floors, fixtures and tools—separate rooms.</p> <p>§ 10. Hoods or coverings—dampening receptacles—refuse.</p> <p>§ 11. Enforcement of provisions—notice by factory inspector.</p> <p>§ 12. Notice to install appliances, devices, etc.</p> <p>§ 13. Notices and instructions posted.</p> <p>§ 14. Penalties.</p> <p>§ 15. Right of action for damages sustained.</p> <p>§ 16. Invalidity.</p> |
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(HOUSE BILL No. 250. APPROVED MAY 26, 1911.)

*AN ACT to promote the public health by protecting certain employés in this State from the dangers of occupational diseases, and providing for the enforcement thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That every employer of labor in this State, engaged in carrying on any work or process which may produce any illness or disease peculiar to the work or process carried on, or which subjects the employés to the danger of illness or disease incident to such work or process, to which employés are not ordinarily exposed in other lines of employment, shall, for the protection of all employés engaged in such work or process, adopt and provide reasonable and approved devices, means or methods for the prevention of such industrial or occupational diseases as are incident to such work or process.

§ 2. Every employer in this State engaged in the carrying on of any process of manufacture or labor in which sugar of lead, white lead, lead chromate, lithrage, red lead, arsenate of lead, or paris green are employed, used or handled, or the manufacture of brass or the smelting of lead or zinc, which processes and employments are hereby declared to be especially dangerous to the health of the employés engaged in any pro-

cess of manufacture or labor in which poisonous chemicals, minerals or other substances are used or handled by the employes therein in harmful quantities or under harmful conditions, shall provide for and place at the disposal of the employes engaged in any such process or manufacture and shall maintain in good condition and without cost to the employes, proper working clothing to be kept and used exclusively for such employes while at work, and all employes therein shall be required at all times while they are at work to use and wear such clothing; and in all processes of manufacture or labor referred to in this section which are unnecessarily productive of noxious or poisonous dusts, adequate and approved respirators shall be furnished and maintained by the employer in good condition and without cost to the employes, and such employes shall use such respirators at all times while engaged in any work necessarily productive of noxious or poisonous dusts.

§ 3. Every employer engaged in carrying on any process or manufacture referred to in section 2 of this Act, shall, as often as once every calendar month, cause all employes who come into direct contact with the poisonous agencies or injurious processes referred to in section 2 of this Act, to be examined by a competent licensed physician for the purpose of ascertaining if there exists in any employe any industrial or occupational disease or illness, or any disease or illness due or incident to the character of the work in which the employe is engaged.

§ 4. It is hereby made the duty of any licensed physician who shall make the physical examination of employes under the provisions of section 3 of this Act, to make an immediate report thereof to the State Board of Health of the State of Illinois upon blanks to be furnished by said board upon request, and if no such disease or illness is found, the physician shall so report, and if any such disease is found, the report shall state the name, address, sex and age of such employe and the name of such employer, and the nature of the disease or illness with which the employe is afflicted, and the probable extent and duration thereof, and the last place of employment: *Provided*, that the failure of any such physician to receive the blanks of the State Board of Health for the making of such report, shall not excuse such physician from making the report as herein provided.

§ 5. The secretary of the State Board of Health shall, immediately upon receipt of any report from any physician in accordance with the provisions of section 4 of this Act, transmit a copy thereof to the Illinois Department of Factory Inspection.

§ 6. Every employer engaged in carrying on any process or manufacture referred to in section 2 of this Act, shall provide, separate and apart from the workshop in which such employes are engaged, a dressing room and lavatory for the use of such employes who are exposed to poisonous or injurious dusts, fumes and gases, and such lavatory shall be kept and maintained in a clean and wholesome manner and provided with a sufficient number of basins or spigots, with adequate washing facilities, including hot and cold water, clean towels and soap and

shower bath, and the dressing rooms shall be furnished with clothes presses or compartments, so that the ordinary street clothes of such employés shall be kept separate and apart from their working clothes.

§ 7. No employé shall take or be allowed to take any food or drink of any kind into any room or apartment in which any process or manufacture referred to in section 2 of this Act is carried on, or in which poisonous substances or injurious or noxious fumes, dusts or gases are present as the result of such work or process being carried on in such room or apartment, and the employés shall not remain in any such room or apartment during the time allowed for meals, and suitable provision shall be made and maintained by the employer for enabling the employés to take their meals elsewhere in such place of employment, and a sufficient number of sanitary closed receptacles containing wholesome drinking water shall be provided and maintained for the use of the employés within reasonable access and without cost to them.

§ 8. All employers engaged in carrying on any process or manufacture referred to in section 2 of this Act, shall provide and maintain adequate devices for carrying off all poisonous or injurious fumes from any furnaces which may be employed in any such process or manufacture, and shall also provide and maintain adequate facilities for carrying off all injurious dust, and the floors in any room or apartment where such work or process is carried on shall, so far as practicable, be kept and maintained in a smooth and hard condition, and no sweeping shall be permitted during working hours except where the floors in such workshop are dampened so as to prevent the raising of dust; and all ore, slag, dross and fume shall be kept in some room or apartment separate from the working rooms occupied by the employés, and where practicable, all mixing and weighing of such ore, slag, dross or fume shall be done in such separate room or apartment, and all such material shall, so far as practicable, be dampened before being handled or transported by employés.

§ 9. When any flues are used in any such process or manufacture referred to in section 2 of this Act, and such flues are being cleaned out or emptied, the employer shall in every case provide and maintain a sufficient and adequate means or device, such as canvas bags or other practical device, or by dampening the dust, or some other sufficient method for catching and collecting the dust and preventing it from unreasonably fouling or polluting the air in which the employés are obliged to work, and, wherever practicable, the dust occasioned in any process or manufacture referred to in section 2 of this Act, and any polishing or finishing therein, shall be dampened or wet down, and every reasonable precaution shall be adopted by the employer to prevent the unnecessary creation or raising of dust, and all floors shall be washed or scrubbed at least once every working day; and such parts of the work or process as are especially dangerous to the employés, on account of poisonous fumes, dusts and gases, shall, where practicable, be carried on in separate rooms and under cover of some suitable and sufficient device to remove the danger



to the health of such employé, as far as may be reasonably consistent with the manufacturing process, and the fixtures and tools employed in any such process of manufacture, shall be thoroughly washed and cleaned at reasonable intervals.

§ 10. All hoppers or chutes or similar devices used in the course of any process or manufacture referred to in section 2 of this Act shall, where practicable, be provided with a hood or covering, and an adequate and sufficient apparatus or other proper device for the purpose of drawing away from the employés noxious, poisonous or injurious dusts, and preventing the employés from coming into unnecessary contact therewith; and all conveyances or receptacles used for the transportation about or the storage in any place where any such process or manufacture referred to in section 2 of this Act is carried on, shall be properly covered or dampened in such way as to protect the health of the employés, and no refuse of a dangerous character incident to the work or process carried on in any such place shall be allowed to unnecessarily accumulate on the floors thereof.

§ 11. It shall be the duty of the State Department of Factory Inspection to enforce the provisions of this Act and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and for that purpose such department and its inspectors are empowered to visit and inspect at all reasonable times all places of employment covered by the provisions of this Act. In the enforcement of the provisions hereof the Department of Factory Inspection shall give proper notice in regard to any violation of this Act to any employer of labor violating it, and directing the installment of any approved device, means or method reasonably necessary, in his judgment, to protect the health of the employés therein, and such notice shall be written or printed and shall be signed officially by the Chief State Factory Inspector or the assistant Chief State Factory Inspector, and said notice may be served by delivering the same to the person upon whom service is to be had, or by leaving at his usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by registered mail, and upon receipt of such notice calling the attention of the employer to such violation, he shall immediately comply with all the provisions of this Act.

§ 12. If any occupational or industrial disease or illness or any disease or illness peculiar to the work or process carried on shall be found in any place of employment in this State by the Inspectors of the State Department of Factory Inspection, or called to their attention by the State Board of Health, which disease or illness shall be caused in whole or in part, in the opinion of the inspector, by a disregard by the employer of the provisions of this Act, or a failure on the part of the employer to adopt reasonable appliances, devices, means or methods which are known to be reasonably adequate and sufficient to prevent the contraction or continuation of any such disease or illness, it shall be the duty of the Department of Factory Inspection to immediately notify



the employer in such place of employment, in the manner provided in section 12 of this Act, to install adequate and approved appliances, devices, means or methods to prevent the contracting and continuance of any such disease or illness and to comply with all the provisions of this Act.

§ 13. For the purpose of disseminating a general knowledge of the provisions of this Act and of the dangers to the health of employes in any work or process covered by the provisions of this Act, the employer shall post in a conspicuous place in every room or apartment in which any such work or process is carried on, appropriate notices of the known dangers to the health of any such employes arising from such work or process, and simple instructions as to any known means of avoiding, so far as possible, the injurious consequences thereof, and the Chief State Factory Inspector shall, upon request, have prepared a notice covering the salient features of this Act, and furnish a reasonable number of copies thereof to employers in this State, covered by the provisions of this Act, which notice shall be posted by every such employer in a conspicuous place in every room or apartment in such place of employment. The notices required by this section shall be printed on cardboard of suitable character and the type used shall be such as to make them easily legible, and in addition to English they shall be printed in such other language or languages as may be necessary to make them intelligible to the employes.

§ 14. Any person, firm or corporation who shall, personally or through any agent, violate any of the provisions of this Act, or who omits or fails to comply with any of its requirements, or who obstructs or interferes with any examination or investigation being made by the State Department of Factory Inspection in accordance with the provisions of this Act, or any employe who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished for the first offense by a fine of not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00), and upon conviction of the second or subsequent offenses, shall be fined not less than fifty dollars (\$50.00) or more than two hundred dollars (\$200.00), and in each case shall stand committed until such fine and costs are paid, unless otherwise discharged by due process of law.

§ 15. For any injury to the health of any employe proximately caused by any willful violation of this Act or willful failure to comply with any of its provisions, a right of action shall accrue to the party whose health has been so injured, for any direct damages sustained thereby; and in case of the loss of life by reason of such willful violation or willful failure as aforesaid, a right of action shall accrue to the widow of such deceased person, his lineal heirs or adopted children, or to any other person or persons who were, before such loss of life, dependent for support upon such deceased person, for a like recovery of damages for the injury sustained by reason of such loss of life, not to exceed the

sum of ten thousand dollars: *Provided*, that every such action for damages in case of death shall be commenced within one year after the death of such employé.

§ 16. The invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given effect without such invalid part.

APPROVED May 26, 1911.

PRIVATE EMPLOYMENT AGENCIES—ACT OF 1909 AMENDED.

§ 1. Amends sections 1 and 10, Act of 1909.

§ 1. As amended, changes amount of fine and provides for payment of all money into State treasury.

§ 10. Salaries—expenses—printing—assistants.

(SENATE BILL NO. 418. APPROVED JUNE 7, 1911.)

AN ACT to amend sections 1 and 10 of "An Act relating to private employment agencies and to repeal parts of a certain Act relating thereto."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 10 of an Act entitled, "An Act relating to private employment agencies and to repeal parts of a certain Act relating thereto," approved June 15th, in force July 1, 1909, be and the same is hereby amended to read as follows:

§ 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person shall open, keep or carry on any employment agency in the State of Illinois unless every such person shall procure a license therefor from the State Board of Commissioners of Labor. Any person who shall open or conduct any such agency without first procuring such license shall be guilty of a misdemeanor and shall be punishable by a fine of not less than fifty dollars (\$50.00) and not exceeding two hundred dollars (\$200.00), or on failure to pay such fine, by imprisonment for a period not exceeding six months, or both, at the discretion of the court. Such license shall be issued by the State Board of Commissioners of Labor, the fee for which in cities having a population of fifty thousand or over shall be fifty dollars (\$50.00) annually, and a fee of twenty-five dollars (\$25.00) annually in all cities containing less than fifty thousand population. All moneys received by the said Board of Commissioners of Labor from whatever source, shall be paid into the State treasury on or before the 30th day of September and the 31st day of March of each year following the adoption of this Act.

Every license shall contain the name of the person licensed, a designation of the city, street and number of the house in which the person licensed is authorized to carry on the said employment agency, and the number and date of such license. Such license shall not be valid to protect any place other than that designated in the license unless con-

sent is first obtained from the State Board of Commissioners of Labor, or the chief inspector of employment agencies and until the written consent of the surety or sureties on the bond required to be filed by section 2 of this Act to such transfer, be filed with the original bond. No such agency shall be located on premises where intoxicating liquors are sold, excepting caf  s and restaurants in office buildings. The application for such license shall be filed with the State Board of Commissioners of Labor not less than one week prior to the granting of said license and the State Board of Labor Commissioners shall act upon such application within thirty (30) days from the time of application. Such application shall be accompanied by the affidavits of two persons who have known the applicant or the chief officer thereof, if a corporation, for two years, stating that the said applicant is a person of good moral character. The license shall run for one year from the date thereof and no longer, unless sooner revoked by the State Board of Commissioners of Labor. Such application shall be posted in the office of the State Board of Commissioners of Labor or in the office of the chief inspector of private employment agencies, from the date of filing thereof, and until such application is acted upon; and before any license shall be granted, notice of such application shall be published on three (3) distinct days by the State Board of Labor Commissioners in some daily newspaper of general circulation throughout the county within which the applicant desires to locate such agency.

  10. SALARIES.] Such chief inspector of private employment agencies shall receive a salary of three thousand six hundred dollars (\$3,600) per annum, to be paid monthly upon vouchers therefor filed with the Auditor of Public Accounts and approved by the Governor. Such inspector shall furnish a bond payable to the State of Illinois in the sum of five thousand dollars (\$5,000), said bond to be approved by the Governor and filed with the Secretary of State. The necessary traveling and hotel expenses of the chief inspector and his deputies, the Commissioners of Labor and their secretary and such other necessary office expenses, shall be allowed upon itemized accounts rendered therefor and approved by the Governor. The chief inspector shall also be allowed the necessary printing, stationery and postage, also be furnished a suitable room or rooms and necessary office furniture and assistants, such as a clerk, one woman investigator of domestic agencies and stenographer as the office requires, accounts therefor to be rendered and approved in the manner required by this Act. The other inspectors provided for in this Act shall receive a salary of \$1,500 per annum, payable monthly upon the certificate of the chief inspector of private employment agencies that such services have been actually rendered under his direction.

APPROVED June 7, 1911.

## FEES AND SALARIES.

## COMPENSATION OF COUNTY COMMISSIONERS.

§ 1. Amends section 37, Act of 1872.

§ 37. As amended, changes  
per diem of county  
commissioners.

(SENATE BILL No. 324. APPROVED JUNE 2, 1911.)

AN ACT to amend section 37 of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 37 of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, be and the same is hereby amended to read as follows:

§ 37. County commissioners and members of county boards in counties not under township organization, while transacting county affairs, shall severally be allowed five dollars per day for the time necessarily and actually employed in the discharge of their duties, and five cents a mile for all necessary travel, and no other allowance, directly or indirectly, for any purpose whatever. All to be paid out of the county treasury.

APPROVED June 2, 1911.

## COMPENSATION OF TOWN OFFICERS.

§ 1. Amends section 36, Act of 1872.

§ 36. Fixes compensation of  
town officers.

(HOUSE BILL No. 51. APPROVED JUNE 7, 1911.)

AN ACT to amend section 36 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 36 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, be and the same is hereby amended to read as follows:

§ 36. The following named town officers shall be entitled to compensation at the following rates, for each day necessarily devoted by them to the services of the town, in the duties of their respective offices.

The town clerk, supervisor and overseer of the poor, shall receive for their services three dollars per day, when attending to town business out



of town, and two dollars and fifty cents for town business in their town. This additional pay per diem to include the supervisors and assistant supervisors who are residents of the county seat while the board of supervisors are in regular session or engaged in regular committee work: *Provided*, that the supervisors, when attending to their duties as overseers of the poor, shall be regarded as town officers, and their compensation for services as such overseers of the poor shall be fixed by the town board of auditors and be paid out of the town fund and a tax levy be made to cover same at the annual town meeting. The compensation of the overseer of the poor to be fixed at the annual meeting in March each year: *And, provided, further*, that the town clerk shall receive fees, and not a per diem, for the following services:

For serving notices of election upon town officers, as required by law, twenty-five cents each.

For filing any paper required by law to be filed in his office, ten cents each.

For posting up notices required by law, twenty-five cents each.

For recording any order or instrument of writing authorized by law, eight cents for each one hundred words.

For copying any record in his office, and certifying to the same, eight cents for every one hundred words, to be paid by the person applying for the same.

For copying by-laws for posting or publication, eight cents for each one hundred words, to be paid by the town.

The town assessor shall receive for his services as assessor, two dollars and fifty cents per day: *Provided*, that in towns of fifty thousand inhabitants and upwards, in counties of the third class, the assessor shall receive five dollars per day.

The pound master shall be allowed the following fees for his services, to-wit:

For taking into the pound and discharging therefrom horses, asses, mules and meat cattle, ten cents each; sheep or lambs, three cents each; and swine, large or small, five cents each.

He may also be allowed to receive his reasonable charges for the keeping of such animals. The amount which he shall charge therefor may be regulated by the town meeting.

The officers composing the board of appointment, in case of vacancy, when they shall meet for that purpose, and the officers composing the board of town auditors, shall each be entitled to one dollar and fifty cents a day for their services.

No justice of the peace or town officer shall be entitled to any fee or compensation from any individual elected or appointed to a town office for administering to him the oath of office.

Each town or district collector shall be allowed a commission of two per cent, on all moneys collected by him, to be paid out of the respective funds collected: *Provided*, that in any case where the compensation so allowed shall be insufficient, the town or county board may allow an additional compensation or per diem in lieu of other or

greater commissions, in which case said additional compensation shall be paid out of the town or county treasury, as the case may require: *And, provided, further,* that all excess of commissions and fees over fifteen hundred dollars in counties of the first and second class and over three thousand dollars in counties of the third class shall be paid into the town or district treasury: *Provided, however,* that the town board of auditors of any town may, prior to the election of a town collector, fix the maximum amount at a lesser sum than provided herein.

APPROVED June 7, 1911.

FEES OF CIRCUIT CLERKS IN COUNTIES OF FIRST AND SECOND CLASS.

§ 1. Amends section 14, Act of 1872.

§ 14. Fixes fees of clerks of circuit courts in counties of first and second class.

(SENATE BILL NO. 38. APPROVED JUNE 2, 1911.)

AN ACT to amend section fourteen of an Act entitled, "*An Act concerning fees and salaries and to classify the several counties of this State with reference thereto*," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved March 25, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 14 of an Act entitled "*An Act concerning fees and salaries and to classify the several counties of this State with reference thereto*," approved March 29, 1872, in force July 1, 1872, as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved March 25, 1907, in force July 1, 1907, be and the same is hereby amended to read as follows:

§ 14. The fees of the clerk of the circuit court in counties of the first and second class shall be paid in advance, except as herein provided, and shall be as follows:

For each judgment by confession in vacation or in term time, \$5.00.

In each case of appeal from or petition for a writ of *certiorari* to a justice of the peace or any court of record and in each case of a change of venue from a court of record, \$5.00.

In each case of transcript of a judgment from a justice of the peace or a court of record for the purpose of creating a lien, including one execution, \$5.00.

In each case for the exercise of eminent domain, \$20.00; and also \$10.00 for each and every lot or tract of land or right or interest therein subject to be condemned, the damages in respect to which shall require separate assessments by the jury.

In each other civil action at common law, \$8.00.

In each cause in chancery for divorce or separate maintenance, including injunctions, \$8.00.

In each suit for partition, \$15.00.

In each other chancery case, \$10.00.

In each criminal case, but not in advance, \$5.00.

In each petition for a writ of *habeas corpus*, \$5.00.

If any cause shall be remanded to the circuit court from the Supreme Court or appellate court, the clerk shall be entitled to the same fee before the filing of the remanding order and the reinstating of the cause as if it were the commencement of a new suit.

For issuing each execution after the first, \$1.00.

For issuing a *procedendo*, 25c.

For each record of proceedings and judgment or decree, whether on appeal, error or change of venue, 15c for each one hundred words.

For comparing a bill of exceptions or a certificate of evidence, 3c for each one hundred words.

For certified copies of decrees and other instruments, 15c for each one hundred words.

For recording the report of a master, a receiver, a trustee, commissioners or a commissioner, or other like officer, 10c for each one hundred words, in all cases except criminal cases wherein the same are dismissed or settled without trial at the term to which process is made returnable, one-half the fees provided in foregoing shall be refunded.

For taking deposition and certifying and sealing the same, 15c for each one hundred words.

For taking the acknowledgment of a deed or other instrument in writing with seal, 25c.

Any person desiring to bring a suit or to file papers upon an appeal or *certiorari* or change of venue, as a poor person, shall first file a motion for leave to do so, supported by an affidavit describing in detail all property, real and personal, which he owns. Such motion shall be heard by the court in term time or by a judge thereof in vacation, or by a master in chancery if no judge be present in the county, and the proposed plaintiff may be orally examined under oath, and if such court, judge or master finds that said proposed plaintiff is a poor person and unable to prosecute such suit and to pay the costs and expenses thereof, an order shall be entered permitting him to begin and prosecute such suit without paying in advance the fee herein specified therefor. Such order shall be subject to review in term time on motion. If the defendant shall settle or compromise such suit, or pay or deliver to plaintiff or his counsel any money or valuable thing because of such suit, without causing such fee to be paid to the clerk of the court, the court may enter an order that the defendant pay such fee, and the same shall be collected from the defendant upon a fee bill to be issued by the clerk to the sheriff therefor.

The fees of the clerk of the circuit court when he is also *ex officio* recorder of deeds of his county, shall be paid in advance and shall be as follows:

For recording each deed or other instrument in writing, 10c for each one hundred words.

Each certificate by such recorder of the recording of the deed or other writing and of the date of recording the same signed by such clerk and *ex officio* recorder shall be sufficient evidence of the recording thereof, and for such certificate including the indexing of the record, the fee shall be 25c.

For a certified copy of a record, the same fee as for recording.

For entering each tract in entry book of conveyances, in counties of the first class, 10c and counties of the second class 5c, and for entering each tract of land or town lot made in any one deed above five, in the entry book, 5c in counties of the first and second class.

For recording every city, town, or assessor's plat, for each lot or tract of land included in said plat, 10c, when the number of lots does not exceed twenty, and for each additional lot 5c, and for the certificates attached thereto the same fee as for recording other instruments.

For each attestation of a release or an assignment of an instrument on the margin of the record thereof and for indexing the same in the book kept for that purpose, 25c.

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

APPROVED June 2, 1911.

#### FEES OF COUNTY CLERKS IN COUNTIES OF FIRST AND SECOND CLASS.

§ 1. Amends section 18, Act of 1872.

§ 18. Fixes fees of county clerks in counties of first and second class.

(SENATE BILL NO. 352. APPROVED JUNE 7, 1911.)

AN ACT to amend section eighteen of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved June 14, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 18 of an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved June 14, 1909, in force July 1, 1909, be and the same is hereby amended to read as follows:

§ 18. That the fees of the clerk of the county court (county clerk) in counties of the first and second class shall be:

For taking proof of last will and testament and endorsing probate thereon and entering the order of the court admitting the same to probate, \$3.00, which fee shall be in full for all services in connection therewith, except for the issuing and mailing of copies of petition, and except



for the issuing of *dedimus potestatum* and the recording of the deposition when required, and shall include the recording of the will: *Provided*, that when the will shall contain more than five hundred words fifteen cents for each one hundred words shall be charged for the excess.

For issuing and mailing each copy of petition for probate of any will, 75 cents—no charge to be made for making and filing certificate of mailing.

For granting and issuing letters testamentary, or letters of administration with will annexed, \$4.00, which fee shall be in full for all services in connection therewith and prior thereto after will has been admitted to probate, except that it shall not include the furnishing of a copy of will for letters or files, for which copies the fee shall be fifteen cents for each one hundred words for each copy.

For granting and issuing letters of administration, letters of administration *de bonis non*, letters of administration to collect, letters of guardianship, letters of trusteeship, or letters of conservatorship where the ward had theretofore been adjudged insane or incompetent, \$4.00, which fee shall be in full for all services in connection therewith.

For granting and issuing letters of conservatorship on a petition in which insanity is not alleged, \$5.00, which fee shall be in full for all services in connection therewith.

For granting and issuing letters of conservatorship on a petition in which insanity is alleged, \$6.00, which fee shall be in full for all services in connection therewith.

For inquest in insanity cases where no conservator is appointed, \$5.00.

For filing and recording each inventory and entering the order of the court with reference thereto, \$1.00: *Provided*, that when the property listed in said inventory contains more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For issuing warrant to appraisers and recording same, and entering the order of the court with reference thereto, \$1.00.

For filing and recording each appraisal bill, including award, and entering the order of the court with reference thereto, \$2.00, but in case no award is fixed, \$1.50: *Provided*, that when the list of property in said appraisal bill, together with its value, consists of over five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For filing and recording a selection, and entering the order of the court with reference thereto, \$1.00: *Provided*, that when the list of property in said selection, together with its value, consists of over five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For filing a petition for the sale of personal property and entering the order of the court with reference thereto, \$1.00: *Provided*, that when the list of property in said order consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For filing and recording report of private sale of personal property, and entering the order of the court with reference thereto, \$1.00: *Provided*, that when the detail of the property sold consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For filing and recording report of public sale of personal property, and entering the order of the court, with reference thereto, \$1.50: *Provided*, that when the detail of the property sold consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For filing and recording a current report and entering the order of the court with reference thereto, \$1.00: *Provided*, that when said report or order of court consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess: *Provided*, further, that when said report is a guardian's report and is final as to one or more wards, fifty cents shall be added for entering discharge as to said ward or wards.

For filing and recording a final report, and entering the order of the court with reference thereto, including order of discharge, \$1.50: *Provided*, that when said report or order of court consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For filing proof of service of notice for the adjustment of claims, fifty cents.

For filing and docketing each claim against estates, and entering the order of the court allowing or dismissing same, twenty-five cents.

For filing and recording assignments of claims or judgments, fifteen cents for each one hundred words, the charge in no case, however, to be less than twenty-five cents.

For all services performed in connection with the sale of real estate by a guardian or conservator, or by an administrator or executor to pay debts, six dollars: *Provided*, that when any one document required to be recorded consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For entering any order not herein otherwise provided for, including the filing of all papers in connection therewith, \$1.00: *Provided*, that when said order consists of more than five hundred words, fifteen cents for each one hundred words shall be charged for the excess.

For recording miscellaneous instruments or papers required by law to be recorded, fifteen cents for each one hundred words.

For filing any paper not herein otherwise provided for, five cents.

For entering order, docketing, filing and issuing a citation, \$1.00.

For issuing and filing a subpoena, twenty-five cents.

For issuing and filing a summons, twenty-five cents.

For issuing and filing a *dedimus potestatum*, \$1.00.

For services in an action to declare a child or children dependent or delinquent, for each action, \$5.00, to be paid in the same manner as is now provided for the payment of costs in insanity cases.

For services in an action for adoption, \$4.00, to be paid by the petitioner, which shall include a certified copy of the decree to the parties adopting.

For services in special assessment proceedings, \$10.00, which shall be in full for all services except for the warrant to the special collector, and the copies of such papers as are required to be attached to said warrant, for which warrant and copies of papers the fee shall be ten cents for each description in the assessment roll.

In all actions at law, suits or proceedings, either civil or criminal, in which the county court has concurrent jurisdiction with the circuit court, and whenever the clerk of the county court shall be required to perform similar services to those required of circuit clerks, and no fee is specially provided herein for such service, the clerk of the county shall be allowed for such service the same fees as are at the time of such performance of such service allowed to circuit clerks.

For each official copy of any process, file, record or other instrument of and pertaining to his office, fifteen cents for each one hundred words, and twenty-five cents additional for certifying and sealing the same.

For officially certifying and sealing each copy of any process, file, record or other instrument of and pertaining to his office, thirty-five cents.

For swearing any person to an affidavit, when the same has no relation to any matter pending in the county court, twenty-five cents.

For issuing each license in all matters except where the fee for the issuance thereof is otherwise fixed, one dollar.

For issuing each marriage license, the certificate thereof, and recording the same, one dollar.

For taking and certifying acknowledgments to any instrument, except where herein otherwise provided for, twenty-five cents.

For issuing each certificate of appointment or commission, the fee for which is not otherwise fixed by law, twenty-five cents.

For cancelling tax sale and issuing and sealing certificate of redemption, twenty-five cents.

For approving a constable's bond, filing and recording the same, and issuing a certificate of election and qualification, one dollar, to be paid by the constable-elect.

For approving a bond of a justice of the peace or police magistrate, filing and recording the same, and issuing a certificate of election and qualification to the Secretary of State, one dollar, to be paid by the officer-elect.

For trying and sealing weights and measures by county standard, fifty cents, together with all actual expenses in connection therewith.

For services in case of estrays, one dollar.

For computing and extending each tax, except State and county tax, on each description of real estate and each person's personal tax, two

cents for each extension, to be paid by the authority for whose benefit the taxes are extended, and it shall be the duty of the county clerk to certify to the county collector, and to each town collector in counties under township organization, the amount due from each authority, and the said collectors in their settlement with such authorities, shall reserve such amount from the amount due and payable to such authorities, the town collector paying such sum so reserved to the county collector, he in turn paying the same over to the county clerk on or before the 15th day of April of each year.

The following fees shall be audited and allowed by the county board and paid from the county treasury:

For computing and extending State and county tax, for each description of real estate and each person's personal tax, for each extension of each tax, three cents, which shall include the transcribing of the collector's books.

For making transcript of the taxable property for the assessor, two cents for each description, and double that amount when duplicate books are made.

For making abstract of assessment of taxable property for State Auditor's office, for making abstract of taxes extended for State Auditor's office, for issuing county orders or warrants and making record of same, and for computing the accounts of the county treasurer with the county and making settlement with such treasurer, the county board shall allow such reasonable compensation as may be just and right for such services.

For entering the list of lands and town lots returned by the State Auditor, on the tract book, for each tract or town lots, two cents.

For attending the sessions of the county court, six dollars per day.

For attending the sessions of the county board, six dollars per day.

For recording proceedings of the county board in county business, fifteen cents for each one hundred words.

For recording miscellaneous instruments and papers required by law to be recorded on the county record, fifteen cents for each one hundred words.

For filing and recording each birth and death certificate, twenty-five cents, which fee shall be in full for all services in connection therewith, including the keeping of accounts with physicians and others for reporting said births and deaths, and issuing orders in settlement of said accounts, and including the quarterly report of births to the State Board of Health.

No fees shall be allowed to county clerks for making election returns, abstracts of elections, or for other county business not otherwise provided for in this Act; but the county board shall allow for such services an *ex officio* fee in the sum of one hundred dollars per annum.

The following fees shall be allowed for services attending the sale of land for taxes, and shall be charged as costs against the delinquent property and be collected with the taxes thereon:



For services in attending the tax sale and issuing certificates of sale and sealing the same, for each tract or town lot sold, twenty-five cents.

For making list of delinquent lands and town lots sold, to be filed with the State Auditor, for each tract or town lot sold, five cents.

The clerk of the county court (county clerk) shall be entitled in all cases to demand and receive the payment of all fees for services in advance so far as the same can be ascertained, except in criminal cases.

In all estates wherein the value of the property of the deceased person or the ward shall be less than five hundred dollars, the county judge shall have authority to abate such portion or all of such fees as to him may seem just and equitable.

In all cases where letters are issued only for a certain specific reason other than the administering on the estate, to release a mortgage for instance, or where letters of guardianship are issued in order that consent to marriage may be granted, or for some other specific reason other than for the care of property or person, the county judge shall have authority to abate such portion of such fees as to him may seem just and equitable.

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

APPROVED June 7, 1911.

#### FEES OF JURORS IN COURTS OF RECORD.

§ 1. Amends section 44, Act of 1872.

§. 44. As amended, increases per diem of jurors in courts of record.

(SENATE BILL NO. 104. APPROVED JUNE 5, 1911.)

AN ACT to amend section 44 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State, with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved June 27, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 44 of an Act entitled "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved June 27, 1885, in force July 1, 1885, be amended to read as follows:

#### FEES OF JURORS.

§ 44. IN COURTS OF RECORD.] There shall be allowed and paid to grand and petit jurors for their services in attending courts of record, including the county court, when sitting for or doing probate business, each the sum of three dollars per day of necessary attendance at such courts as such jurors, and also five cents per mile each way for necessary

travel in going to and returning from the same, to be paid out of the county treasury, except that in cases for the trial of insane persons before the courts, jurors shall only receive for their services as jurors for such trials, the sum of two dollars per day each. The clerk of the court shall furnish to each of the jurors aforesaid without fee whenever he shall be discharged from further service by the court, a certificate of the number of days' attendance at the term, or of the number of days' attendance at the trial of an insane person, as the case may be, and upon presentation thereof to the county treasurer, he shall pay to such juror, the sum as above provided for his said service. The jurors in courts of record, including county courts, when sitting for and doing probate business in counties of the third class, shall receive only for their services the sum of three dollars per day, and five cents per mile, actual travel going and coming to place of holding court, but no oftener than once coming and going, to place of holding court shall be considered in computing the mileage of jurors, during the term for which they shall be summoned to serve as jurors.

APPROVED June 5, 1911.

#### SALARIES OF STATE'S ATTORNEYS.

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| § 1. Classification and salaries—assistants. | § 3. Report of fines. |
| § 2. How paid.                               | § 4. Repeal.          |

(SENATE BILL NO. 391. APPROVED JUNE 5, 1911.)

*AN ACT fixing the salaries of the State's attorneys and their assistants, defining their duties, providing for the appointment of assistants, and to repeal all Acts in conflict therewith.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be allowed to the several State's attorneys in this State, hereafter elected, for services to be rendered by them, the following salary, to-wit: To each State's attorney in counties not exceeding 30,000 inhabitants, the sum of \$2,500.00 per annum; to each State's attorney in counties containing not less than 30,000 inhabitants and not more than 50,000 inhabitants, the sum of \$3,500.00 per annum; to each State's attorney in counties containing not less than 50,000 inhabitants and not more than 100,000 inhabitants, the sum of \$5,000.00 per annum; to each State's attorney in counties containing not less than 100,000 inhabitants and not more than 250,000 inhabitants, the sum of \$6,000.00 per annum; to each State's attorney in counties of more than 250,000 inhabitants, the sum of \$10,000 per annum: *Provided*, that where assistant State's attorneys are required in any county, the number of such assistants and the salaries to be paid such assistants shall be determined by the board of county commissioners or supervisors, as the case may be, and the salaries of such assistants shall be paid out of the county treasury in quarterly annual installments, on the order of the county board on the treasurer of said county. Such assistant State's attorneys to be named by the State's

attorney of the county, and when so appointed shall take the oath of office in like manner as State's attorneys, and shall be under the supervision of the State's attorney.

§ 2. The salaries of State's attorneys, excepting that part which is to be paid out of the State treasury as now provided by law, shall be paid out of the county treasury of the county in which the State's attorney shall reside, in quarterly annual installments on the order of the county board on the treasurer of said county.

§ 3. It is hereby made the duty of all State's attorneys to report the collection and payment of fines to the proper authorities, as is now or may hereafter be provided by law, and the State's attorney shall have no further interest in fines, conviction fees, penalties, or moneys collected by virtue of such office other than to see that they are paid to the proper authorities.

§ 4. All laws or parts of laws contrary to or in violation of this Act are hereby repealed.

APPROVED June 5, 1911.

## FISH AND GAME.

### FISH AND FROGS—REVISION.

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| § 1. Ownership and title in State.   | § 15. License fees.  |
| § 2. Interpretation.   | § 16. How license issued—metal tag.  |
| § 3. Use of hook and line.   | § 17. License to ship or conduct market—bond.  |
| § 4. What and when lawful to catch, etc.—exceptions.   | § 18. Fees covered into State treasury.  |
| § 5. White fish and trout—long jaws, black fins and herring.                                   | § 19. Fish Commissioners—term—salary—organization—wardens—districts—deputies—powers. |
| § 6. Minnows for bait.   | § 20. Duties of board.   |
| § 7. Who authorized to catch or destroy at any time, etc.                                      | § 21. Seizure of unlawful device—proceedings.  |
| § 8. Use of nets and seines.   | § 22. Contraband fish.   |
| § 9. Use of drugs, explosives, fire arms, artificial light, etc.—penalties—consent in writing. | § 23. Dam or obstruction—fish ways—certificate—arbitration.                          |
| § 10. Legal weight and length specified—notice of unlawful shipments—donations.                | § 24. Resisting or obstructing officer—penalty.                                      |
| § 11. What unlawful to sell at any time.   | § 25. False label—penalty.   |
| § 12. What unlawful to ship or take out of State, etc.   | § 26. Violations—penalties.  |
| § 13. When unlawful to sell or ship.   | § 27. Recovery by action of debt.  |
| § 14. Tag on shipments.  | § 28. Enforcement of Act.  |
|  | § 29. Terms defined.   |
|  | § 30. Repeal.  |

(SENATE BILL NO. 304. APPROVED JUNE 7, 1911.)

*AN ACT to revise the law in relation to the propagation and protection of fish in all the waters under the jurisdiction of the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the ownership of and title to*

all fish in any waters within the jurisdiction of this State, is hereby declared to be in the State and no fish shall be caught, taken or killed in any manner or at any time except the persons so catching, taking or killing such fish shall consent that the title to said fish shall be and remain in the State for the purpose of regulating the possession, use, sale or transportation thereof after such taking, catching or killing.

§ 2. It shall be unlawful for any person to catch, take or kill, or attempt to catch, take or kill, any fish in any of the lakes, rivers, creeks, sloughs, bayous or other waters, or water courses within the jurisdiction of this State, except subject to the restrictions and by the means and devices, and at the time prescribed by this Act.

§ 3. Fish of legal size or weight, as hereinafter prescribed, may be caught, taken or killed with hook and line at any time.

§ 4. It shall be lawful to catch and take all kinds of fish (except black bass, pike, pickerel, pike perch, commonly known as jack or yellow salmon, white fish, trout, chubs, long jaws, black fins and herring) with hoop or fyke nets, dip nets, trammel nets, baskets, or with seines, the meshes of neither of which are less than one and one-half inches square, between the first day of July of any year and the first day of May of the next succeeding year.

§ 5. White fish and trout may be caught and taken only with gill nets and with pound nets, the meshes of neither of which are less than two and one-eighth inches square, between the first day of December of any year and the first day of November of the next succeeding year.

Long jaws, black fins and herring may be caught and taken only with gill nets and with pound nets, the meshes of neither of which are less than one and three-eighths inches square, between the first day of December of any year and the first day of November of the next succeeding year.

§ 6. It shall be lawful to catch or take minnows for bait only by the use of minnow seines or traps, the meshes of which shall not be less than one-fourth of an inch square nor shall the length of any minnow seine be more than fifty (50) feet: *Provided, however*, that any person so fishing for minnows for bait in the manner prescribed, shall at once return to the water uninjured all fish of whatever size or length, except such as are commonly known as minnows.

§ 7. It shall be lawful for the Board of Fish Commissioners of the State of Illinois, or of the United States, or persons authorized for them, to catch and take fish in any way, at any time and at such places as they may deem best for the purpose of propagation, distribution, or the destruction of objectionable fish, and for the University of Illinois, or its agents, to do likewise for scientific purposes.

§ 8. No hoop, trammel net or fyke net, gill net or pound net or seines shall be set, placed or used by any person or persons in such a manner as to obstruct more than one-half of the width of any stream, river, lake, slough, bayou or other water course within the jurisdiction of this



State. All gill nets and pound nets shall be set and lifted only by the use of a tug, launch, sail boat or row boat licensed as hereinafter provided.

§ 9. Every person who shall at any time catch, take or kill or attempt to catch, take or kill any fish in any of the rivers, lakes, creeks, streams, sloughs, bayous or other water courses within the jurisdiction of this State by the use of lime, acid, medical or mechanical compound or dope of any medicated drug or any *coculus indicus*, or fish berry, or any dynamite, or giant powder, nitro-glycerine or other explosive, or any kind of fire arms or by the use of jack or artificial light or any kind, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars (\$100), nor more than two hundred dollars (\$200), or punished by imprisonment in the county jail not less than six months, or by both such fine and imprisonment at the discretion of the court.

It shall be unlawful for any person to take, catch or kill, or attempt to take, catch or kill in any manner or by any means whatsoever any fish in, upon or from any water in any quarry, quarry hole, artificial lake, fish pond or reservoir or other artificial depression upon the premises of any other person within the jurisdiction of this State, without the consent in writing of the owner or person in charge thereof.

§ 10. It shall be unlawful to catch, take or kill by any means or device whatever, or to sell or offer for sale, or have in possession, unless caught with hook and line, any of the following named fish mentioned below, which are less than the weight or length mentioned for each:

Black bass, eleven inches.

White or striped bass, eight inches.

Rock bass, six inches.

Crappie, eight inches.

Yellow or ring perch, eight inches.

Pike perch or wall-eyed pike, thirteen inches.

Pike or pickerel, eighteen inches.

Buffalo, fifteen inches.

German carp, fifteen inches.

Sun fish, six inches.

Blue or channel cat, thirteen inches; ten inches dressed.

White perch, ten inches.

Bull head cat, seven inches.

White fish, one and one-half pounds, undressed.

Lake trout, one and one-half pounds.

Turtle or terrapin, seven inch shell, or during the month[s] of May and June any frog weighing one-fourth ( $\frac{1}{4}$ ) pound or over.

The possession by any person of any fish under the size or weight prescribed in this section, unless caught with hook and line, shall be *prima facie* evidence that such fish were the property of the State of Illinois at the time they were caught, taken and killed, and that such fish were caught, taken and killed in this State. Any person receiving

in due course of business any fish shipped into this State from any other state, territory, or country, less than the size or weight prescribed in this section, shall within forty-eight (48) hours after the receipt of such fish notify the Board of Fish Commissioners, a fish warden, or some deputy fish warden of such fact, stating in such notice the name of the person from whom received, and the point from which such fish were shipped. Upon receipt of such notice it shall be the duty of the Board of Fish Commissioners, the fish warden, or the deputy fish warden, as the case may be, to seize same and donate such fish to some charitable institution.

§ 11. It shall be unlawful at any time to sell or offer or expose for sale, or have in possession for the purpose of selling, any black bass, pike, pickerel, or pike perch commonly known as wall-eyed pike, or jack or yellow salmon.

§ 12. It shall be unlawful, at any time, to transport, ship or take to any point outside this State, any black bass, pike, pickerel, or pike perch commonly known as jack or yellow salmon: *Provided*, that any person may carry with him, or transport as baggage on any train or conveyance for which he has purchased a transportation ticket, to a point without this State, one package and no more, at any one time and during any one day, containing not more than twenty-five pounds of black bass, pike, pickerel and pike perch, commonly known as jack or yellow salmon, legally caught and taken in the waters under the jurisdiction of this State: *Provided*, that such package, when offered as baggage, shall be plainly labeled so as to show the name of the person offering the same for transportation, the place to which it is to be transported, the number of fish of each kind contained therein, and the number of the license of the person offering such fish for transportation, if any such license is required.

§ 13. It shall be unlawful to sell or ship, offer for sale or shipment, or receive for shipment, between the first day of May and the first day of July of each year, any fish or frog caught in any of the waters under the jurisdiction of this State, excepting that white fish, trout, long jaws, chubs, black fins and herring may be sold or shipped, offered for sale or shipment, or received for shipment between the first day of December of any year and the first day of November of the next succeeding year.

The possession of any such fish for shipment or in transit shall be *prima facie* evidence of a violation of this section: *Provided*, this section shall not apply to the transportation of fish into or through this State, or out of it, by the Fish Commission of Illinois, or any other State, or of the United States: *Provided, further*, that there shall be allowed five days after the close of the fishing season to dispose of or to ship all fish legally caught and taken previous to the close of the fishing season.

§ 14. It shall be unlawful for any railroad company, express company, steamboat company, or common carrier, to ship or transport,

or receive for shipment or transportation or to have in possession for the purpose of shipment to any point either within or without this State, any box, barrel, crate, or other receptacle containing fish, unless such box, barrel, crate, or other receptacle shall have firmly fixed and attached thereto a tag on which shall be printed or written, or partly printed and partly written, information stating the different varieties of fish contained in each box, barrel, crate, or other receptacle, the name and place of business of the consignor, the number of the license of the consignor, whenever such license is required, and the name and place of the business of the consignee.

§ 15. It shall be unlawful for any person to fish in any waters under the jurisdiction of this State with seine, dip net, gill net or pound net, without first obtaining a license so to do. Each resident of this State shall pay for each license the following amounts, respectively:

(a) For each one hundred yards of seine, or less, (except minnow seines) five (5) dollars.

(aa) For each one hundred yards of trammel net or less, one dollar and twenty-five cents.

(c) For each dip net twenty-five (25) cents.

(d) For each steam tug used in operating gill nets or pound nets, twenty-five (25) dollars.

(e) For each gasoline launch used in operating gill nets or pound nets, fifteen (15) dollars.

(f) For each sail boat or row boat used in operating gill nets or pound nets, ten (10) dollars.

Each non-resident of this State shall pay for each such license, the following amounts, respectively:

(a) For each one hundred yards of seine, or less, (except minnow seines) ten (10) dollars.

(aa) For each one hundred yards of trammel net or less, five (5) dollars.

(b) For each dip net one dollar (\$1.00).

(c) For each hoop or fyke net one dollar (\$1.00).

(d) For each steam tug used in operating gill nets or pound nets, two hundred (200) dollars.

(e) For each gasoline launch used in operating gill nets or pound nets, fifty (50) dollars.

(f) For each sail boat or row boat used in operating gill nets or pound nets, thirty (30) dollars.

It shall be unlawful for any male non-resident above the age of sixteen of the State of Illinois to fish with hook and line in any of the waters under the jurisdiction of this State without first obtaining a license so to do, for which license such non-resident shall pay the sum of one dollar (\$1.00). No license issued under the provisions of this section shall be transferred.

§ 16. Each county, city or village clerk is hereby authorized and empowered to issue all licenses referred to in the preceding section of this Act upon the payment to such clerk of the amount of the license

fee prescribed in the foregoing section, together with the sum of twenty-five (25) cents as the fee of such clerk. It shall be the duty of such clerk to issue to such applicant a license, bearing the signature of the Board of Fish Commissioners, sealed with the seal of the county, city or village clerk, as the case may be, dated on the day of the issuance thereof and countersigned by said clerk. At the time the said payment is made the person making such payment shall receive from the clerk a metal tag, which shall be of uniform style and pattern, to be prescribed and furnished to the clerk by the Board of Fish Commissioners. Such metal tag shall be attached to said devices or boats, in such a manner as to be at all times exposed to public view.

§ 17. It shall be unlawful for any person to ship any fish caught in any of the waters under the jurisdiction of this State, or to conduct a fish market for the purpose of buying and selling and shipping such fish, or as a wholesale dealer to buy and sell any fish caught or taken in the waters under the jurisdiction of this State without procuring a license so to do.

Such license may be procured from the city, village or county clerk without the payment of any fee and it shall be the duty of the city, village or county clerk to issue such license without demanding, accepting or receiving any fee for his services therefor. Such license shall be signed, sealed and authenticated as other licenses required by this Act. Each license issued under the provisions of this section shall entitle the person named therein to ship any fish authorized under this Act to be sold and shipped which are caught in the water under the jurisdiction of this State during the time when it is lawful to catch such fish and to conduct a fish market for the purpose of buying and selling for shipment fish authorized under this Act to be bought and sold and which were caught in the waters under the jurisdiction of this State during the time when it is lawful to catch such fish, and to buy and sell such fish as a wholesale dealer, until the first day of May next following its issuance, and no license shall be transferred. All licenses granted under this section shall expire on the first day of May of each year.

The license provided for in this section shall contain the following conditions, which shall be printed on such license:

No person shall be licensed to ship fish, or to conduct a fish market for the purpose of buying and selling fish for shipment, or to transact business as a wholesale dealer, as provided in this section, unless he shall first give bond in the penal sum of two hundred (200) dollars, payable to the People of the State of Illinois, with at least two good and sufficient sureties, free-holders of the county in which the license is to be granted, or a surety company who is authorized to do business in this State, to be approved by the clerk issuing such license conditioned that the said applicant and license shall well and faithfully perform every act and duty enjoined upon him as such licensee by



this Act and obey all the laws of this State pertaining to the protection and propagation of fish which now are or may hereafter be in force, and that he will well and truly pay all fines and costs which may be adjudged against him for any violation of the provisions of this Act or any of the laws of this State pertaining to the protection and propagation of fish. The officer taking such bond may examine any person offered as security upon any such bond, under oath and require him to subscribe and swear to his statement in regard to his pecuniary ability to become such security. Any bond taken pursuant to this section may be sued upon by the Board of Fish Commissioners. The clerk taking such bond shall immediately transmit the same to the Board of Fish Commissioners.

It shall be unlawful for any railroad company, express company, steamboat company, or common carrier, to receive from any person, any fish caught in the waters under the jurisdiction of this State for shipment unless the person so tendering such fish for shipment has obtained a license authorizing such person to ship fish in accordance with the provisions of this section.

All fish found in the possession of the holder of such license which are of illegal kinds, sizes, or weights are hereby declared to be contraband, and may be seized and disposed of by any such member of the Board of Fish Commissioners, fish wardens, or deputy fish wardens.

§ 18. All license fees collected by the several city, village and county clerks of this State under the provisions of this Act shall be covered into the State treasury at the end of each calendar month.

§ 19. The Board of Fish Commissioners is hereby continued, and shall consist of three persons. At the expiration of the respective terms of the Board of Fish Commissioners now in office, the Governor shall appoint successors to the members whose terms shall expire and each shall hold office for a term of three years until his successor is appointed and qualified. Each Fish Commissioner shall receive the sum of twelve hundred dollars (\$1,200.00) per annum, payable monthly, as compensation for services to be performed by him. Said board shall organize by the selection of one member as president, one member as secretary and one member as chief warden.

For the purpose of protection and propagation of fish and for the purpose of greater efficiency in enforcing the fish laws of the State, the State is hereby divided into nine fish warden districts to be composed of the following counties respectively:

District No. 1 shall consist of the counties of Cook, DuPage and Lake.

District No. 2 shall consist of the counties of Whiteside, Carroll, Jo Daviess, Stephenson, Winnebago, Ogle, Lee, DeKalb, Boone, McHenry and Kane.

District No. 3 shall consist of the counties of Adams, Hancock, McDonough, Knox, Mercer, Rock Island, Warren, Henry and Henderson.

District No. 4 shall consist of the counties of Bureau, La Salle, Stark, Putnam, Marshall, Peoria, Woodford, Kendall and Grundy.

District No. 5 shall consist of the counties of Fulton, Tazewell, Mason and Menard.

District No. 6 shall consist of the counties of Schuyler, Brown, Pike, Morgan, Scott, Calhoun, Greene, Jersey and Cass.

District No. 7 shall consist of the counties of Will, Kankakee, Livingston, Iroquois, Ford, McLean, Logan, DeWitt, Macon, Moultrie, Piatt, Champaign, Vermilion, Douglas, Coles and Edgar.

District No. 8 shall consist of the counties of Sangamon, Christian, Shelby, Montgomery, Macoupin, Madison, St. Clair, Bond, Clinton, Fayette, Marion, Effingham, Clay, Monroe and Randolph.

District No. 9 shall consist of the counties of Cumberland, Clark, Jasper, Crawford, Richland, Lawrence, Wabash, Edwards, Wayne, Jefferson, Washington, Perry, Jackson, Franklin, Williamson, Hamilton, Saline, White, Gallatin, Union, Alexander, Pulaski, Johnson, Polk, Hardin and Massac.

The Governor is hereby authorized to appoint one fish warden from each of the above named districts who shall receive the salary of nine hundred dollars (\$900.00) per annum and necessary traveling expenses, not to exceed fifty dollars per month, payable monthly. The Governor may also appoint five deputy fish wardens from each district who shall receive for their compensation two dollars (\$2.00) per day and necessary expenses not to exceed thirty-five dollars (\$35.00) per month, payable monthly, for the time actually employed as such deputy fish warden. The compensation of the members of the Board of Fish Commissioners, fish wardens, and deputy fish wardens shall be paid upon proper vouchers certified to as correct by the Board of Fish Commissioners and approved by the Governor.

The members of the Board of Fish Commissioners, fish wardens, and deputy fish wardens shall have power to execute and serve all warrants and processes of law issued by any justice of the peace, police magistrate, or out of any court of competent jurisdiction, for the violation of any of the provisions of this Act in the same manner as any constable or sheriff may serve and execute such process, and may arrest on sight and without warrant any person detected by them violating any provisions of this Act and may take such person before any county having jurisdiction of the offense and make proper complaint before such court which shall proceed with the case in the same manner and form provided by the law for misdemeanors.

§ 20. It shall be the duty of the Board of Fish Commissioners to select suitable locations for State fish hatching and breeding establishments, take all measures within their means for propagation and increase of the native food fishes, and also for the introduction of new varieties of food fishes, into the waters of the State upon the best terms possible; to employ a practical and competent fish culturist who shall perform all such duties as the Board of Fish Commissioners shall direct.

§ 21. It shall be the duty of any of the Fish Commissioners, fish wardens, deputy fish wardens, constables and sheriffs to summarily seize and take possession of any device for taking or killing fish herein declared to be unlawful and its use is prohibited; they shall thereupon report such seizure to the State's attorney and deliver such device to the sheriff, who shall forthwith file in the office of the county clerk or circuit clerk an information in the name of the People of the State of Illinois, against the alleged owner or owners thereof, and of facts of the seizure and unlawful character of the device; whereupon it shall be the duty of the clerk of the county or circuit court to immediately issue two writs of summons in the name of the People of the State against such alleged owner or owners; or, if the owner or owners be unknown, against the unknown owner or owners thereof and shall deliver one summons to the sheriff, to be served, and returned in the same manner as a summons at law is served, and shall post one summons in a conspicuous place at the court house door in such county, and shall docket such case with the criminal cases of such court; and upon the expiration of ten days after the posting of such notice, the circuit or county court of such county, if then in session or when next in session thereafter, shall have full jurisdiction thereof upon the clerk's certificate that he posted the notice herein required or the sheriff's return of summons served, or both, and shall proceed to a trial of said case; and if no plea denying the information be filed therein, the court shall take the information as *prima facie* evidence to support a judgment therein, shall enter an order that the device subject of the information be condemned, and that, upon the expiration of twenty days after the last day of that term of court, such condemned device be sold or destroyed as hereinafter provided, which order shall be certified to the sheriff by the clerk and be by such sheriff returned, with the manner of its execution; and, if a plea be entered in said case, the court shall proceed to determine whether such device be unlawful and its use prohibited by this Act, as in other cases without a jury unless demanded; and shall enter judgment of restitution or condemnation accordingly, and no recovery by the owner or owners or other persons for the value of such property so seized and destroyed in conformity with this Act shall be maintained: *Provided, however,* that such seine or nets so seized, the meshes of which are of legal size, shall be sold by the sheriff and the proceeds thereof be paid forthwith to the State Fish Protection Fund: *And, provided, further,* that any device for taking or killing fish herein declared to be unlawful and its use prohibited which shall have been seized as aforesaid, shall, by order of court, be destroyed.

Appeals and writ of error shall lie from the judgment of the court in the premises as in other cases.

§ 22. All fish caught, taken, killed, shipped or had in possession or under control contrary to any of the provisions of this Act are hereby declared to be contraband, and it shall be the duty of members of the



Board of Fish Commissioners, fish wardens, or deputy fish wardens to seize and dispose of any and all fish shipped or had in possession by any person in violation of this Act.

§ 23. That it shall be the duty of any person or persons who now own or control, or hereafter may erect or control any dam or other obstruction across any of the rivers, creeks, streams, bayous or other water courses wholly within or running through this State in such manner as shall obstruct the free passage of fish up and down or through such water or water courses, to place or cause to be erected in or in connection with such dam or dams, durable and efficient fish-ways, so that the free passage of fish up and down said waters may not be obstructed. All such fish-ways shall be maintained and kept in good repair by the person or persons so owning or controlling such dam or other obstruction during the whole time of the existence of such dam or other obstruction, as aforesaid, so that said fish-way shall at all times be open and free from obstruction for the passage of fish.

And in case the owner or person controlling, operating or using any dam or other obstruction, as aforesaid shall fail or refuse, after ten day's notice, in writing, by a majority of the Board of Fish Commissioners of this State, to construct and keep in good repair durable and efficient fish-ways, as provided in this Act, then the Board of Fish Commissioners may construct, or cause to be constructed, durable and efficient fish-ways, or place the same in good repair, said work to be let by contract to the lowest responsible bidder, and may recover in any action of debt in the name of the People of the State of Illinois, before any justice of the peace or court of competent jurisdiction the cost of constructing or repairing such fish-way. Any person or persons or corporations owning or controlling any such dam or other obstruction, who shall fail or refuse to comply with the provisions of this section with respect to the construction and maintenance in good repair of such fish-ways in any such dam, after having been notified in writing by the Fish Commissioners, or a majority of them, to construct or repair the same, shall be deemed guilty of a misdemeanor, and for each and every twenty days after such notification that such person or persons shall neglect or refuse to comply with the provisions of this section in not erecting, maintaining and keeping in good repair such fish-ways, he or they shall be subject to a penalty of not less than twenty-five (25) nor more than two hundred (200) dollars.

All fish-ways built as provided in this Act, if constructed to the satisfaction and approval of a majority of the Board of Fish Commissioners, then every owner or person controlling such dam or other obstruction as provided in this Act, may obtain from such Board of Fish Commissioners, or a majority of them, a certificate that such fish-ways are constructed in compliance with this Act, which certificates shall be a full protection against any prosecution for violation of this Act for not providing a fish-way. Such certificate may be suspended at any time by the Board of Fish Commissioners, when such fish-way is not maintained or repaired as herein required. If such person or persons



so owning or controlling any such dam or other obstruction shall fail to construct or maintain such fish-way to the satisfaction of the Board of Fish Commissioners, or a majority thereof, then it shall be *prima facie* evidence of the violation of this Act: *Provided*, that no owner or owners of any dam or dams shall be required by this Act, or any other Act, to construct or allow the construction of any fish-way in such manner as to endanger the permanent durability of such dam or dams, or to impair their usefulness. Nor shall they be required to construct or repair such fish-ways by using some particular patent on which a patent fee is demanded, or to construct or repair such fish-way when high water or climatic conditions may render such work impracticable. The Board of Fish Commissioners to determine whether or not such fish-way will endanger the permanent durability of such dam, or impair its usefulness as to such high water or climatic conditions, and in case the owner or owners of such dam dissent to the decision of such Board of Fish Commissioners, or a majority of them, then a board of arbitration shall be chosen to determine such matters: One by the Fish Commissioners, or a majority of them; one by the owner or owners of such dam, and the two so chosen shall select a third within thirty (30) days after their selection, and if not so selected within thirty (30) days, then the third one shall be selected by the Governor of the State, and the decision of such arbitrators, so chosen, shall be final.

§ 24. Whoever shall resist or obstruct any member of the Board of Fish Commissioners, fish warden or deputy fish warden, in the discharge of his duties under the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty (50) dollars nor more than one hundred (100) dollars for each offense.

§ 25. Any person who shall falsely label any tag attached to any box, barrel, crate or other receptacle in which fish are shipped, as required by this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding two hundred (200) dollars, or imprisoned in the county jail not less than [ten] (10) days nor more than ninety (90) days, in the discretion of the court or punished by both such fine and imprisonment.

§ 25a. Any chief fish warden, fish warden or deputy fish warden, who shall knowingly and wilfully permit any person to violate any of the provisions of this Act, shall for the first offense be fined in a sum not exceeding two hundred dollars (\$200), and upon conviction of the second offense shall be removed from office.

§ 26. Any person violating any of the provisions of this Act, except as otherwise provided herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each offense be punished by a fine in any sum not exceeding two hundred dollars (\$200) and costs, and shall stand committed to the county jail until such fine and costs are paid.

Each fish of illegal kind or size caught, killed, captured, shipped, offered or received for shipment, sold or offered for sale, or had in possession for the purpose of selling, and each net or other device used in violation of this Act, shall constitute a separate offense.

All fines imposed for a violation of any of the provisions of this Act shall, when collected be paid to the State Treasurer, by the justice of the peace, clerk of court, or other officer by whom such fine is collected.

§ 27. In lieu of proceeding against any person violating the provisions of this Act in the manner provided by the preceding section of this Act, such person may be proceeded against in an action of debt in the name of the People of the State of Illinois, for the use of the Board of Fish Commissioners, for the recovery of the penalty herein prescribed such debt, when recovered, shall be paid by the Board of Fish Commissioners into the State treasury and shall be placed to the credit of the State Fish Protection Fund.

§ 28. It shall be the duty of all sheriffs, deputy sheriffs, coroners, constables, police officers, and all other conservators of the peace to enforce the provisions of this Act.

§ 29. The word "person" when used in this Act shall include company, partnership, association, corporation or any agent or employé thereof. The term 'objectionable fish' as used in this Act shall be construed to mean the following: Gar and hickory shad.

§ 30. That the following Acts be and the same are hereby repealed:

An Act entitled, "An Act to encourage the propagation and cultivation and to secure the protection of fishes in all the waters under the jurisdiction of the State of Illinois, defining the duties of the fish commissioners, fixing their compensation and providing penalties for the violation of the provisions thereof." Filed June 5, 1907, in force July 1, 1907.

An Act entitled, "An Act to establish a Board of Commissioners to increase the product of the fisheries by artificial propagation and cultivation." Approved May 13, 1879, in force July 1, 1879.

An Act entitled, "An Act to regulate fishing in Lake Michigan, and the shipping of fish in the State of Illinois." Approved April 21, 1899, in force July 1, 1899.

An Act entitled, "An Act to regulate the catching of white fish, trout, herring, chubs, longjaws, black fins, perch and other rough fish in the waters of Lake Michigan under the jurisdiction of the State of Illinois." Approved May 17, 1907, in force July 1, 1907.

APPROVED June 7, 1911.

## GAME, WILD FOWL AND BIRDS—ACT OF 1903 AMENDED.

§ 1. Amends sections 1, 16, 25, 28 and 30, Act of 1903.

§ 1. What, when and where game may be killed—penalty.

§ 16. Game Commissioner and wardens—duties.

§ 25. License to hunt—fee—number killed—game protection fund—exemptions—penalty.

§ 28. Permission to hunt on grounds of another.

§ 30. Penalty.

(SENATE BILL NO. 379. APPROVED JUNE 5, 1911.)

AN ACT to amend sections one (1), sixteen (16), twenty-five (25), twenty-eight (28) and thirty (30) of an Act entitled, "An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto," approved April 28, 1903, in force July 1, 1903, as amended by Act approved May 18, 1905, in force July 1, 1905, as amended by Act approved May 28, 1907, in force July 1, 1907, as amended by Act approved June 15, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1), sixteen (16), twenty-five (25), twenty-eight (28), and thirty (30) of an Act entitled, "An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto," approved April 28, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905, as amended by an Act approved May 28, 1907, in force July 1, 1907, as amended by an Act approved June 15, 1909, in force July 1, 1909, be and the same are hereby amended so as to read as follows:

§ 1. It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare, destroy or attempt to hunt, kill, net, entrap, ensnare or destroy any bobwhite quail from the 10th day of December to the 10th day of November (both inclusive) of each succeeding year, nor more than twelve by one person in one day; or any pinnated grouse (prairie chicken) from the 18th day of November of any year to the 11th day of November (both inclusive) of the next succeeding year, nor more than three by one person in one day; or any ruffed grouse (partridge), Mexican blue quail, California mountain quail, California valley quail, Hungarian partridge, capercazie or heath grouse (black grouse) or wood cock for the period of four years from and after July 1, 1911; or any mourning dove from the 30th day of November to the first day of August (both inclusive) of each succeeding year; or any gray, red fox or black squirrel from the 15th day of November to the first day of June of each succeeding year; or any of the order of Limicolæ or shore birds, commonly known as jack snipe, Wilson's snipe, sand snipe, or any kind of snipe, or any golden plover, upland plover, or any kind of plover, from the first day of May to the first day of September (both inclusive) of any year, nor more than fifteen by one person in one day. And it shall be unlawful to kill, hunt, ensnare, entrap, or attempt to kill, hunt, ensnare, entrap or otherwise destroy any wild goose, duck, brant, coot (mud hen), rail or other water fowl at any time from the 15th day of April to the first day of September (both inclusive) of each year.



And it shall be unlawful to hunt, kill, entrap, ensnare, or attempt to hunt, kill, entrap, ensnare or otherwise destroy any wild goose, duck, brant, coot, rail or other water fowl between the sunset of any day and the sunrise of the next succeeding day at any period of the year. And it shall further be unlawful at any time to hunt, kill, entrap, ensnare or attempt to hunt, kill, entrap or ensnare or otherwise destroy any wild goose, brant, duck, coot, rail or other waterfowl from any fixed or artificial ambush beyond the lines of natural covering of reeds, canes, willows, flags, crooked brush, wild rice, or other vegetation above the water of any lake, river, bay or inlet or other water course wholly within the State; or with the aid or use of any device commonly called sneak boat, sink box or other device for the purpose of concealment in the open waters of this State.

And it shall be unlawful to shoot, kill or destroy, or attempt to shoot, kill or destroy, any wild goose, duck, brant, coot, rail or other water fowl with a swivel gun or rifle, or from any sail boat, gasoline or electric launch or steam boat at any time in any part of the water of any lake, river, bay or inlet or other water course wholly within this State: *Provided*, that it shall be unlawful to kill, entrap, ensnare, or otherwise destroy any of the duck, geese, brant, coot, rail or other water fowl, or any of the order of Limicolæ or shore birds commonly known as jack snipe, Wilson's snipe, sand snipe, or any kind of snipe, or any golden plover, upland plover or any kind of plover mentioned in this section at any time for market or other commercial purposes, nor more than fifteen ducks, ten geese, ten brant, twenty coots, twenty rails or other water fowl, by one person in one day.

Any person or persons so offending shall for each and every offense be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than fifteen nor more than fifty dollars and costs of suit, and shall stand committed to the county jail until such fine and costs are paid: *Provided*, that such imprisonment shall not exceed ten days, and the killing of each bird or animal herein specified shall be deemed a separate offense: *Provided*, that nothing in this section shall be construed to prevent the State Game Commissioner or his wardens or deputies from hunting, ensnaring or entrapping any of the game birds or animals in this section mentioned and transmitting them to other sections of the State where a scarcity of these game birds or animals exists, for the purpose of propagating and restocking said sections of the State: *And, provided, further*, that before hunting, ensnaring or entrapping, said State Game Commissioner, his wardens or deputies, must first obtain the consent in writing of the tenant or landowner from whose premises said game birds and animals are taken.

§ 16. In order that the provisions of this Act may be more fully carried out the Governor of the State shall appoint one State Game Commissioner, whose term of office shall be for the period of incumbency of the Governor appointing him, or until his successor is appointed, whose duty it shall be to secure the enforcement of all the statutes of the State



for the preservation of game and birds, or bring or cause to be brought, actions and proceedings in the name of the People of the State of Illinois, to recover any and all fines and penalties provided for in such laws relating to game and birds and to prosecute all violators of said statute. The Game Commissioner is empowered to appoint by and with the approval of the Governor sixteen game wardens who shall have no other employment or business. They shall devote their entire time to the work of game protection and shall travel over the State in all seasons for this purpose under the direction of the State Game Commissioner. Such appointment shall be for efficient service only and regardless of political influence. The State Game Commissioner is also authorized to appoint one deputy game warden for each county of the State, and as many special deputy game wardens as in his opinion is necessary for the proper enforcement of the law. They shall have authority with the State Game Commissioner in the enforcement of the game laws of the State, relative to game and birds throughout the State, and shall be immediately responsible to the State Game Commissioner, and shall report to and receive their instructions from him. Such game wardens and deputy game wardens shall be subject to removal by the State Game Commissioner at any time.

§ 25. For the purpose of increasing the State Game Protection Fund and preventing unauthorized persons from killing game and birds, no person or persons shall at any time hunt, pursue or kill with gun, rabbits or any of the wild animals, fowl or birds that are protected during any part of the year without first having procured a license so to do, and then only during the respective periods of the year when it shall be lawful. Said license shall be procured from any county, city or village clerk in the following manner, to-wit: The applicant shall fill out a blank application to be furnished by the State Game Commissioner to the clerk of each county, city or village stating name, age, occupation and place of residence of applicant, said application shall be subscribed and sworn to by the applicant before said county, city or village clerk, and it is hereby expressly provided that if said county, city or village clerk fails to administer the oath as herein provided, or antedates any license, he shall be subject to a fine herein provided for each and every offense, the same to be recovered in any court of competent jurisdiction. And said applicant, if a non-resident of the State of Illinois, shall pay to the county clerk the sum of twenty-five dollars as a license fee, together with the sum of fifty cents as the fee of said county clerk for administering the oath to the applicant and issuing said license; and if a resident of the State of Illinois, shall pay to the county, city or village clerk, the sum of seventy-five cents as a license fee, together with the sum of twenty-five cents as the fee of said county, city or village clerk for administering the oath to the applicant and issuing said license. Said license shall bear the signature of the State Game Commissioner and the seal of the county, city or village in which the same is issued and be countersigned by the said clerk. And such licensee, if a non-resident, is hereby authorized to

take from the State not to exceed in the aggregate fifty birds of all kinds killed by himself or herself which shall be carried openly for inspection, together with his or her license. The number of game birds or animals that may be killed in any one day by one person is hereby limited to fifteen ducks, ten geese, ten brant, fifteen coots, fifteen rails, or other water fowl. The number of the Limicolæ or shore birds that may be killed by one person in one day is hereby limited to fifteen, and fifteen game birds of any other kind, except bobwhite quail, ruffed grouse (partridge), pinnated grouse (prairie chicken), Mexican blue quail, California valley quail, California mountain quail, wild turkey, English ring neck pheasants, Chinese ring neck pheasants, green Japanese pheasants, copper pheasants, Soemmering pheasants, Tropagon pheasants, silver pheasants, golden pheasants, Reeves pheasants, Elliott pheasants, Hungarian pheasants, Swinhoe pheasants, Amherst pheasants, Melanote pheasants, Impeyan pheasants and Argus pheasants. The number of mourning doves and squirrels that may be killed in any one day by one person is hereby limited to fifteen.

The license fees above provided for shall be paid by the said clerks to the State Treasurer at the end of each month and shall be placed to the credit of a fund to be known as the State Game Protection Fund, and shall be disbursed by the State Treasurer on vouchers certified to by the State Game Commissioner and approved by the Governor and filed with the Auditor of Public Accounts who shall draw his warrant therefor on the State Treasurer.

Every license issued shall be signed by the licensee in ink, and as aforesaid, shall entitle the person to whom issued to hunt, pursue and kill game within the State at any time when it shall be lawful to hunt, pursue and kill such game, and no person to whom a license has been issued shall be entitled to hunt, pursue or kill game or rabbits in this State without at the time of such hunting, pursuing and killing of game he or she shall have such license in his or her name and upon his or her person ready to exhibit the same for inspection, and such license shall be void after the 1st day of June next succeeding its issuance: *Provided*, that the owner or owners of farm lands, their children (if residents of the State), or tenants shall have the right to hunt and kill game on the farm lands of which he or they are the *bonafide* owners or tenants during the season when it is lawful to kill game without procuring such resident license.

Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than fifty dollars for each and every offense and shall stand committed to the county jail until such fine and costs are paid, but such imprisonment shall not exceed thirty days for each offense; or such person may be proceeded against in an action of debt in the name of the People of the State of Illinois for the recovery of the penalty herein prescribed.

§ 28. It shall be unlawful for any person or persons to hunt, with gun or dog, or allow their dogs to hunt within or upon the lands or premises of another, or upon the water flowing over or standing on said lands or premises, without first obtaining from the owner, agent, or occupant of said lands or premises, his, her or their permission so to do.

§ 30. Any person convicted of violating section 28 of this Act shall be fined in a sum of not less than five dollars (\$5.00), and not to exceed fifteen dollars (\$15.00), and shall stand committed to the county jail until such fine and costs are fully paid.

APPROVED June 5, 1911.

## FUGITIVES.

### REWARD BY GOVERNOR—KIDNAPPING.

§ 1. Amends section 12, Act of 1874.

§ 12. As amended, authorizes reward for kidnapping.

§ 2. Emergency.

(HOUSE BILL NO. 653. APPROVED MAY 25, 1911.)

AN ACT to amend section 12 of an Act entitled, "An Act to revise the law in relation to fugitives from justice," approved February 16, 1874, in force July 1, 1874, so as to embrace therein the crime of kidnapping.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 12 of an Act entitled, "An Act to revise the law in relation to fugitives from justice," approved February 16, 1874, in force July 1, 1874, be and is hereby amended so as to read as follows:

§ 12. If any person charged with, or convicted of treason, murder, rape, robbery, burglary, arson, larceny, forgery, counterfeiting or kidnapping, shall break prison, escape or flee from justice or abscond or secrete himself in such cases it shall be lawful for the Governor, if he shall judge it necessary, to offer any reward not exceeding \$200, for apprehending and delivering such person into the custody of such sheriff or other officer as he may direct. The person so apprehending or delivering any such persons as aforesaid and producing to the Governor the receipt of the sheriff or other proper officer, for the body, it shall be lawful for the Governor to certify the amount of such claim to the Auditor, who shall issue his warrant on the Treasurer for the same.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage and approval.

APPROVED May 25, 1911.

## GENERAL ASSEMBLY.

## OFFICERS AND EMPLOYEES.

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| <p>§ 1. Senate officers to be elected.</p> <p>§ 2. House officers to be elected.</p> <p>§ 3. Enrolling and engrossing clerks and assistants to be elected.</p> <p>§ 4. Committee clerks to be appointed—number.</p> <p>§ 5. Employés of Senate and House—number—chaplains.</p> <p>§ 6. Private secretary, etc., for presiding officers.</p> <p>§ 7. Law secretary and legal secretary.</p> | <p>§ 8. Per diem of officers and employés—additional clerks, stenographers, etc.</p> <p>§ 9. Per diem of officers and employés.</p> <p>§ 10. Certificate to Auditor.</p> <p>§ 11. Removal or discharge of employés.</p> <p>§ 12. Employés during recess—extra time after adjournment.</p> <p>§ 13. Persons designated in Act considered officers and employés—how paid.</p> <p>§ 14. Repeals Acts of 1877 and 1897.</p> <p>§ 15. Emergency.</p> |
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(SENATE BILL NO. 145. APPROVED MAY 25, 1911.)

AN ACT to provide for the election and appointment of officers and employés of the General Assembly of the State and fix their compensation and to repeal certain Acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the Senate of the General Assembly at the organization of each regular session of said Senate, shall elect the following officers, viz: A president of the Senate *pro tem.*; a secretary and three assistants, one of whom shall be a minute clerk, one of whom shall be a record clerk, and one of whom shall be a printed bill clerk; a messenger and a janitor to the secretary; a sergeant-at-arms and two assistants; a postmaster and one assistant.

§ 2. The House of Representatives of the General Assembly, at the organization of each regular session of said House, shall elect the following officers, viz.: A presiding officer of said House, to be known as speaker; a chief clerk and three assistants; a doorkeeper and three assistants; a postmaster and one assistant.

§ 3. The Senate and House of Representatives shall each elect an enrolling and engrossing clerk and two assistants; but such election shall not take place in the Senate or House of Representatives until after the chairman of the committee on enrolled and engrossed bills shall report to said Senate or House, that the services of said enrolling and engrossing clerk and assistants are necessary for the transaction of the business of the General Assembly.

§ 4. The Senate and House of Representatives shall appoint or cause to be appointed, not to exceed 10 committee clerks in the Senate, and 15 committee clerks in the House of Representatives.

§ 5. The Senate shall appoint a messenger; and the Senate and House of Representatives shall appoint 6 janitors in the Senate, and 8 janitors in the House; 3 policemen and 10 pages in the Senate, and 6



policemen and 18 pages in the House of Representatives; and 8 stenographers in the Senate and 16 stenographers in the House of Representatives. The Speaker of the House and the President of the Senate shall appoint a mail carrier at the same per diem as policemen, to have charge of, and be responsible for the transmission of the mail matter for either branch of the General Assembly to and from the postoffice of the city, and the State House, and also a chaplain for each branch of the General Assembly, at a per diem of three dollars.

§ 6. The President of the Senate and the Speaker of the House over which they respectively preside, may make the following appointments of persons to act during the session in their respective capacities for such presiding officer: a private secretary, a stenographer, a messenger and a janitor.

§ 7. The Senate shall appoint a law secretary, and the Speaker of the House a legal secretary.

§ 8. The per diem to be paid to the officers and employes designated in this Act shall be as follows, namely: The secretary of the Senate and the clerk of the House of Representatives, ten dollars (\$10.00) per day each; the minute clerk and the record clerk, four dollars (\$4.00) per day each; the printed bill clerk, four dollars (\$4.00) per day; the messenger and the janitor of the secretary, three dollars (\$3.00) and two and one-half dollars (\$2.50) per day each respectively, and the secretary of the Senate shall have authority to appoint two expert stenographers and typewriters at four dollars (\$4.00) per day each to act as secretary's stenographer and journal stenographer, and the clerk of the House shall have authority to appoint a minute clerk, a resolution clerk, a record clerk, a printed bill clerk and two stenographers at the per diem allowed to assistant clerks, and a messenger at three dollars per day, and a janitor at two and one-half dollars per day. The assistants to the clerk of the House shall receive four dollars (\$4) per day each.

§ 9. The enrolling and engrossing clerks of the Senate and House, and the sergeant-at-arms of the Senate and doorkeeper of the House shall each be paid five dollars (\$5) per day each; the postmaster of the Senate and postmaster of the House, and the assistant enrolling and engrossing clerks of the Senate and of the House shall each be paid four dollars (\$4) per day; the assistant postmaster of the Senate, the assistant postmaster of the House, the assistant sergeants of the Senate and the assistant doorkeepers of the House and the clerks of the various committees and the stenographers of the Senate and House shall each be paid three dollars (\$3) per day. The private secretaries of the President of the Senate, and the Speaker of the House shall be paid the sum of four dollars (\$4) per day; their respective stenographers four dollars (\$4) per day; and their messengers and janitors three dollars (\$3) and two and one-half dollars (\$2.50) per day respectively. The policemen employed by either branch of the General Assembly shall be paid three dollars (\$3) per day. The pages employed

by either branch of the General Assembly shall be paid the sum of one and one-half dollars (\$1.50) per day; the janitors employed in the Senate and House of Representatives shall be paid not to exceed two and one-half dollars (\$2.50) per day. The Senate law secretary shall be paid ten dollars (\$10) per day, and the legal secretary of the Speaker shall be paid ten dollars (\$10) per day; the messenger of the Senate shall be paid six dollars (\$6) per day.

§ 10. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant to the officers and employés designated in this Act, upon a statement of the term of service, to be certified as follows, viz: All officers or employés elected or appointed by the House of Representatives upon the certificate of the Speaker of the House. All officers or employés elected or appointed by the Senate, upon the certificate of the President of the Senate.

§ 11. Any of the employés designated in this Act, for inefficiency or neglect of duty, may be removed or discharged from the service of the State, by the same authority or power that appointed them.

§ 12. No officer or person elected or appointed by either branch of the General Assembly shall receive pay for services in excess of the number of days that the Legislature is in session, except that the secretary of the Senate and his first assistant, and stenographers and the clerk of the House and his first assistant, and stenographers and the enrolling and engrossing clerk of the Senate and the enrolling and engrossing clerk of the House, may by resolution of that branch of the General Assembly of which he is an officer, be allowed pay for not exceeding twenty days after the adjournment of the session, for the purpose of finishing up the work in their respective offices; and in the event of a recess or adjournment of the General Assembly or of either branch thereof for a period of two weeks or more, the pay of the following appointees shall cease during such recess or adjournment, and until the reconvening thereof:

In the Senate: Assistant secretaries, assistant postmaster, sergeant-at-arms and assistants, assistant enrolling and engrossing clerks, committee clerks, policemen, pages, and stenographers, except secretary's stenographers and janitors, except those in the employ of the President of the Senate. This section shall not apply to the office forces of the Speaker of the House and the President of the Senate.

In the House of Representatives: Assistant clerks, doorkeeper and assistants, assistant postmaster, assistant enrolling and engrossing clerks, committee clerks, policemen, pages, stenographers, except the clerk's stenographers, and janitors, except those in the employ of the Speaker.

§ 13. All persons designated in this Act to be elected or appointed by either branch of the General Assembly, or by the Secretary of State, shall be considered as officers and employés of the General Assembly, and shall be paid out of the appropriation hereafter made for the pay of the members, officers and employés of the General Assembly of the State.

§ 14. An Act to provide for the election and appointment of the officers and employes of the General Assembly of the State and to fix their compensation, approved May 28, 1877, in force July 1, 1877, as amended by Act approved and in force May 11, 1907; and an Act to regulate the number of extra policemen and janitors to be employed by the Secretary of State during the sessions of the General Assembly, approved June 10, 1897, in force July 1, 1897, and all laws and parts of laws in conflict with this Act, are hereby repealed.

§ 15. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED May 25, 1911.

## GUARDIANS AND WARDS.

### ACT OF 1872 AMENDED—MORTGAGE AND SALE OF REAL ESTATE.

§ 1. Amends sections 25, 28 and 32, Act of 1872.

§ 25. Petition to mortgage real estate — verification — hearing—notice—p r o - ceedings.

§ 28. Proceedings to sell real estate — removal of clouds from title.

§ 32. Sale at public vendue, etc.

(HOUSE BILL NO. 494. APPROVED JUNE 5, 1911.)

AN ACT to amend sections 25, 28 and 32 of an Act entitled, "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended by an Act approved May 21, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 25, 28 and 32 of an Act entitled, "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended by an Act approved May 21, 1877, in force July 1, 1877, be and the same are hereby amended to read as follows:

§ 25. Before any mortgage shall be made, the guardian shall petition the county or probate court of the county where the ward resides, or if the ward does not reside in the State, then of the county where the real estate or some part of it is situated, as the case may be, for an order authorizing such mortgage to be made, in which petition shall be set out the condition of the estate, and the facts and circumstances on which the petition is founded, and a description of the premises sought to be mortgaged. The petition shall be signed by the guardian and verified by his affidavit, and shall be filed at least ten days before a hearing shall be had thereon. Notice of such application shall be given to "All persons concerned" by publication in some newspaper published in the county where the application is made, at least once or by setting up written or printed notices in four of the most public places in the county and the ward served with a copy of such notice in the manner provided



for service of summons in suits in chancery. Such application shall be docketed as other causes, and the petition may be amended, heard or continued for further notice, or for other cause. The practice in such cases shall be the same as in other cases in chancery. It shall be the duty of the guardian after making such mortgage, as soon as may be, to make a report of his action to the court granting the order which, if approved, shall be recorded and vest in the mortgagee a good and valid lien on the minor's interest in the mortgaged premises for the full amount of his mortgage. The word "mortgage" in this Act shall include a trust deed and any instrument in the nature of a mortgage.

§ 28. On the petition of the guardian the county court of the county where the ward resides, or if the ward does not reside in the State, of the county where the real estate, or some part of it is situated, may order the sale of the real estate of the ward, for his support and education, when the court shall deem it necessary, or to invest the proceeds in other real estate or for the purpose of otherwise investing the same: *Provided*, the said county court shall make no order for a sale under said petition until the said guardian shall have executed and filed a bond, payable to the People of the State of Illinois, with at least two sufficient sureties, to be approved by the court, in double the value of the real estate by said petition sought to be sold, conditioned for the due and faithful accounting for, and disposition of the proceeds of all real estate that may be sold by him, under such order, in the manner provided by law; which bond may be put in suit in the name of the People of the State of Illinois, to the use of any person entitled to recover on a breach thereof, and damages assessed and proceedings had thereon as in other cases of penal bonds. An [And] the court may also investigate and determine all questions of conflicting or controverted titles arising between any of the parties to such proceeding, and may remove clouds from the title to any real estate sought to be sold or mortgaged, and invest purchasers or mortgagees with a good and indefeasible title to the premises sold or mortgaged.

§ 32. No lands or tenements shall be sold by virtue of any order or decree of the county or probate court unless such sale is at public vendue and between the hours of ten o'clock in the forenoon and five o'clock of the afternoon of the same day, nor unless the time, place and terms of holding such sale were previously published for the space of four weeks by posting up notices thereof in at least four of the most public places in the county where such real estate shall be sold, and also by causing a similar notice thereof to be published four successive weeks prior to the sale, in some newspaper published in such county, or if there be no such newspaper, then in such other newspaper in this State as the court shall direct, nor unless such real estate shall be described with common certainty in such notices. And the court may direct the sale to be made on reasonable credit and require such security of the guardian or purchaser as the interests of the ward may require.

APPROVED June 5, 1911.



## INSURANCE.

## BURIAL INSURANCE SOCIETIES.

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| § 1. Application of Act.                        | § 4. Contracts and obligations. |
| § 2. Statement filed with county clerk<br>—fee. | § 5. Enforcement of Act.        |
| § 3. Deposit with county treasurer.             | § 6. Exemptions from Act.       |

(HOUSE BILL NO. 611. APPROVED JUNE 10, 1911.)

## AN ACT relating to burial insurance societies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person, firm, corporation, society or association of individuals engaged in the business of providing burial benefit or award for the payment, in whole or in part, of funeral, burial or other expenses of deceased persons, or of certificate holders, or subscribers, by the levying of an assessment or assessments, or by the charging of a fee or premium, shall, for the purpose of this Act, be considered to be conducting a burial insurance society; and all subscribers to and certificate holders in such burial insurance society shall, for the purposes of this Act, be considered to be members of such burial insurance societies.

§ 2. Any person, firm, corporation or association of individuals having already formed or hereafter proposing to form any burial insurance society, shall within [thirty] (30) days after going into effect of this Act, or within thirty (30) days after the formation of such society, file in writing with the county clerk of each county of the State of Illinois in which such society operates or proposes to operate a notification in writing of the name, purposes, plan of operation and names of the officers of such society, together with a filing fee of five dollars (\$5.00) to cover the cost of filing and recording such written notification.

§ 3. Such person, firm, corporation or association of individuals aforesaid, at the time of filing the notification hereinbefore provided, shall deposit with the county treasurer of each county of the State of Illinois, in which such society operates or proposes to operate, a sum of money, or securities double in amount or value the amount of the largest single burial benefit or award proposed to be paid by such person, firm, corporation, association of individuals, or by any burial insurance society formed or proposed to be formed by such person, firm, corporation or association of individuals; which said deposit shall be held in trust by the said county treasurer for the security of the beneficiaries of the members of such burial insurance societies: *Provided, however,* that upon the dissolution of any such burial insurance society and satisfactory proof of the liquidation of monetary obligations accruing from such society to its members and to the beneficiaries of its members, said deposit shall be returned to the person, firm, corporation or association of individuals making the same and holding the receipt therefor.

§ 4. No person, firm, corporation, society or association operating under or by virtue of this Act, shall pay any burial benefit or award, not contracted to be paid in a specific manner, in any manner or thing, other than in currency of the United States; nor shall any member of any burial insurance society, or representative or beneficiary of such member, be obligated (except by contract in writing signed by the member or person sought to be bound) to purchase funeral supplies or burial services from any specified or designated person, firm, corporation, undertaker, undertaking concern, tradesman, or business man, so as to deprive the representative, beneficiary or family of any such member from procuring or purchasing said supplies and services in the open market.

§ 5. No person, firm, corporation, society or association of individuals shall conduct a burial insurance society in any manner other than in accordance with the terms and provisions of this Act. And it is hereby made the duty of the State's attorney of each county of the State of Illinois to enforce the provisions of this Act upon complaint or request in writing.

§ 6. This Act shall not apply to fraternal or fraternal beneficiary societies, nor to assessment, life and accident associations existing or operating under or by virtue of any statute of this State, nor to any society which pays sick or disability benefits and which limits its membership to a particular class of persons or to the employes of a designated person, firm or corporation; nor to burial insurance societies now existing which pay, and continue to pay, the full amount of the burial benefit or award in money exclusively and without conditions or limitations as to the method or manner of expending such money; nor to any burial insurance society composed exclusively of the employes of any department of municipal, county, State or National government.

APPROVED June 10, 1911.

#### FIRE, LIGHTNING, HAIL, WINDSTORM AND SPRINKLER LEAKAGE INSURANCE.

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| § 1. What insurance unlawful.   | § 4. Policy on outside property—assets—fees and taxes—proviso. |
| § 2. Contracts after Jan. 1, 1912—declaration filed with Insurance Superintendent—contents. | § 5. Certificate of authority.                                 |
| § 3. Statements of insurance made and commercial rating of members.                         | § 6. Penalty.  |
|   | § 7. How penalty recovered.                                    |
|   | § 8. Repeal.   |

(SENATE BILL NO. 45. APPROVED MAY 31, 1911.)

*AN ACT to regulate and control insurance against loss or damage by fire, lightning, hail, windstorm and sprinkler leakage, by partnerships, associations, individuals, or aggregations of individuals, not now authorized to do business in this State, and prescribing the penalty for violation thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That no association, partnership, in-*

dividual or aggregation of individuals, not now authorized by the laws of this State, shall after the enactment hereof make contracts of insurance against loss or damage by fire, lightning, hail, windstorm or sprinkler leakage, or any variety thereof, within this State, except in accordance with this Act.

§ 2. No association, partnership, individual or aggregation of individuals, shall after January 1, 1912, make contracts of insurance against loss or damage by fire, lightning, hail, windstorm or sprinkler leakage, or any variety thereof, upon or relating to property owned by such association, partnership, individual or aggregation of individuals, or any member thereof, unless there shall be filed with the Insurance Superintendent of this State a declaration, in writing, by the attorney, agent or other representative, verified by his oath, setting forth:

(a) The name or title by which such association, partnership, individual or aggregation of individuals intending to make such contracts of insurance against loss or damage by fire, lightning, hail, windstorm or sprinkler leakage, or any variety thereof, is to be known.

(b) A verified copy of the form of policy, contract or agreement, under or by which such insurance is to be effected.

(c) A verified copy of the form of power of attorney or other authority of any attorney, agent or other representative, fully setting forth the character of such representation and the authority of such representative.

(d) The location of the office or offices through which such policies, contracts or agreements are to be issued.

(e) That service of process may be had upon the Insurance Superintendent of this State in all suits arising out of such policy, contracts or agreements.

§ 3. There shall be filed with the Insurance Superintendent of this State by the attorney, agent or other representative of every association, partnership, individual or aggregation of individuals, to whom the requirements of section 2 shall apply, whenever and as often as the same shall be requested, a statement, under the oath of such attorney, agent or other representative, showing the maximum amount of insurance made upon any single risk by such association, partnership, individual or aggregation of individuals, and such attorney, agent or other representative shall, whenever and as often as the same shall be requested, file with the Insurance Superintendent a statement, verified by his oath, to the effect that he has examined the commercial rating of the individuals and members of such underwriting association as shown by a commercial agency having at least 100,000 subscribers, and that from such examination it appears that no individual or single member of any such underwriting association has assumed on any single risk an amount greater than ten per cent of the net worth of such individual or member when such risk was assumed.

§ 4. Every association, partnership, individual or aggregation of individuals making contracts for any of the kinds of insurance herein specified upon or relating to property not owned by such association,



partnership, individual or aggregation of individuals by whom such contract is made, shall, in addition to the provisions of section 2 hereof, print upon the face and back of such contract or policy, in clear English type, the words "Not incorporated," and also the name of the agent or other representative of such association, partnership, individual, or aggregation of individuals, who shall be a resident of this State, and shall cause to be filed with the Insurance Superintendent a statement, under the oath of the duly authorized attorney, agent or other representative, that their available assets for the payment of losses equals a least five times the amount assumed upon a single risk. Every association, partnership, individual or aggregation of individuals so assuming liability upon property not owned by its members shall, so far as the same shall be applicable to the business transacted, be subject to the same requirements, fees and taxes, except as to capital stock and deposits, as are by law imposed upon corporations engaged in the same or similar business in this State, for purposes of taxation, gross receipts or premiums shall be construed to be the cost of the insurance to the insured, excluding portions of premiums returned to policy holders: *Provided, however,* that nothing herein shall apply to any business done in compliance with the surplus line law of this State: *And, provided, further,* that mutual insurance companies incorporated under the laws of other states shall be entitled to do business in this State subject to the provisions of this Act.

§ 5. Every agent, attorney, in fact or other representative by or through whom are issued or negotiated any policies of, or contracts or agreements for, any insurance or indemnity of the character referred to in this Act, shall procure from the Insurance Superintendent, annually, a certificate of authority stating that all the requirements of this Act which are applicable have been complied with, and upon such compliance and the payment of the fee of \$2.00 the Insurance Superintendent shall issue such certificate.

§ 6. Any person who shall in this State engage in the business contemplated by this Act, or any variety thereof, without complying with the requirements hereof, shall be subject to a penalty of not less than five hundred dollars nor more than one thousand dollars, and the policy contract written or risk assumed shall be deemed a violation hereof.

§ 7. The penalty provided for in section 6 shall be recoverable in the name of the People of the State of Illinois, in an action of debt, upon the information of the Insurance Superintendent of this State or the State's attorney of the county in which the violation occurs, and upon any conviction under this Act, the court shall, as a part of the judgment, order that the defendant be committed to the common jail of the county until the fine and costs are paid, such commitment not to exceed thirty days.

§ 8. All laws, or parts thereof, in conflict herewith, are hereby repealed.

APPROVED May 31, 1911.



## FRATERNAL INSURANCE—HOSPITALS, ETC.

§ 1. Amends section 1, Act of 1909.

§ 1. As amended, eliminates limitation of general and expense fund to twenty cents per member annually.

(HOUSE BILL NO. 571. APPROVED MAY 31, 1911.)

AN ACT to amend section 1 of an Act entitled, "An Act authorizing and empowering fraternal beneficiary societies now organized and existing, or hereafter organized, under and by virtue of the laws of the State of Illinois, or any such society organized and existing under and by virtue of the laws of any other State, province or territory, and now or hereafter admitted to do business within this State, to create, maintain and operate for the benefit of its sick, disabled or distressed members and their families and dependents, hospitals, asylums and sanatoriums," approved May 10, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 1 of an Act entitled, "An Act authorizing and empowering fraternal beneficiary societies now organized and existing, or hereafter organized, under and by virtue of the laws of the State of Illinois, or any such society organized and existing under and by virtue of the laws of any other state, province or territory, and now or hereafter admitted to do business within this State, to create, maintain and operate for the benefit of its sick, disabled or distressed members and their families and dependents, hospitals, asylums and sanatoriums," approved May 10, 1909, be amended so as to read as follows:

§ 1. That it shall be lawful for any fraternal beneficiary society now organized and existing or hereafter organized under and by virtue of the laws of the State of Illinois, or any such society organized and existing under and by virtue of the laws of any other state, province or territory, and now or hereafter admitted to do business within this State, to create, maintain and operate, for the benefit of its sick, disabled or distressed members and their families and dependents, out of its general or expense fund, and from any voluntary contributions it may receive therefor, hospitals, asylums or sanatoriums, and for such purpose any such society may own, hold or lease personal property and real property located within or without this State, with necessary buildings thereon: *Provided*, that the amount of the general and expense fund to be expended, as herein provided, shall not exceed such amounts as shall have been or shall be, from time to time, authorized by the legislative or supreme governing body of such society: *Provided, further*, that maintenance, treatment and proper attendance in any such hospital, asylum or sanatorium may be furnished free, or a reasonable charge may be made therefor, but no such hospital, asylum or sanatorium shall be operated for profit: *Provided, further*, that no part of the cost or expense of creating, maintaining or operating any such hospital, asylum or sanatorium shall be defrayed or paid out of the mortuary, sick, dis-

ability or benefit funds of any such society: *And, provided, further,* that any fraternal beneficiary society which shall maintain and operate any such hospitals, asylums or sanatoriums under the provisions of this Act shall not be subject to, or in any way restricted by, the provisions of an Act entitled, "An Act empowering fraternal beneficiary societies organized and existing under and by virtue of the laws of the State of Illinois, to create, maintain and operate as a part of their organization, a department for the purpose of providing and furnishing to their sick, disabled and distressed members and their families, free medical, home, sanatorium and hospital service and treatment, and other material aid and assistance, and to create, maintain and disburse for such purposes, a trust fund to be raised by and from voluntary contributions, and declaring such departments to be charitable institutions, and competent as such to be named, and to take, as beneficiary, by its members in certain cases," approved May 20, 1907, in force July 1, 1907.

APPROVED May 31, 1911.

#### LIFE, ACCIDENT AND HEALTH INSURANCE.

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| § 1. What corporations may qualify under this Act.                       | § 4. Deposit of funds. |
| § 2. Corporations hereafter organized—declaration.                       | § 5. Investments.      |
| § 3. Corporations heretofore organized—declaration—amendment to charter. | § 6. Interpretation.   |
|  | § 7. Repeal.           |

(HOUSE BILL NO. 441. APPROVED MAY 31, 1911.)

*AN ACT relating to insurance and permitting stock corporations organized under the laws of the State of Illinois to engage in the business of life, accident and health insurance; to regulate and control such business in this State, and to repeal all laws now existing which conflict with the provisions of this Act.*

**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That any corporation which possesses a capital stock of at least \$200,000, fully paid in, in cash, and which is now or hereafter organized under the laws of the State of Illinois for the purpose of making insurance upon the lives of persons, may also upon compliance with the requirements of this Act engage in the business of insuring persons against bodily injury, disablement or death resulting from accident and providing benefits for disablement caused by disease; or if such corporation be now or hereafter organized under the laws of the State of Illinois for the sole purpose of insuring any persons against bodily injury, disablement or death resulting from accident and providing benefits for disability caused by disease, it may also upon compliance with the requirements of this Act, engage in the business of making insurance upon the lives of persons, and every insurance pertaining thereto or connected therewith and of granting or disposing of annuities.

§ 2. Any such corporation hereafter organized under the laws of the State of Illinois for the purpose of making insurance upon the lives of persons or for the otherwise sole purpose of insuring persons against bodily injury, disablement or death resulting from accident and providing benefits for disability caused by disease, may avail itself of the provisions of this Act by including in its charter a declaration of its desire so to do.

§ 3. Any such corporation heretofore organized under the laws of the State of Illinois for the purpose of making insurance upon the lives of persons or for the sole purpose of insuring persons against bodily injury, disablement or death resulting from accident and providing benefits for disability caused by disease, may avail itself of the provisions of this Act by filing with the Insurance Superintendent a declaration of its desire so to do. Such declaration shall set forth the amount of the capital stock of the corporation which has been fully paid in, in cash, the nature of the insurance business it is proposed to transact thereafter; that the proposed change in the business of corporation has been approved by the holders of more than two-thirds of the entire capital stock of the corporation and that such approval was given at a duly held meeting of the stockholders of the corporation. Such declaration shall be signed by a majority of the board of directors of the corporation and duly acknowledged by the subscribers before a person authorized to take acknowledgments. If such declaration shall be found by the Insurance Superintendent to be in due form he shall upon receipt of the deposit required by the succeeding section of this Act deliver to the corporation a certified copy of the declaration. Such certified copy of the declaration when filed for record in the office of the recorder of deeds in the county in which the corporation is located shall become an amendment to the charter of the corporation and its authority to transact the business of insurance therein set forth.

§ 4. Before any corporation taking avail of the provisions of this Act shall engage in the forms of insurance business permitted hereby, it shall deposit with the Insurance Superintendent, if it has not already done so, at least \$100,000 on account of its proposed life insurance business, and at least \$100,000 on account of its proposed accident and health insurance business. Such deposit shall be in lieu of and for the same purposes as the deposits of like amount now required by law of life insurance companies and of accident and health insurance companies as a condition precedent to the commencement of such classes of business. Such deposits shall be held in trust by the Insurance Superintendent in their respective amounts and for the respective purposes now or hereafter prescribed by law, and all securities so deposited shall be made to or assigned to him in trust for such purposes.

§ 5. Any corporation taking avail of the provisions of this Act shall thereafter invest its capital stock, surplus, or other funds only in such investments as are permitted by the laws of the State of Illinois to be acquired by life insurance companies of this State.



§ 6. Any corporation taking avail of the provisions of this Act and thereafter engaging in the business of life, accident and health insurance, shall with respect to its business of life insurance, be subject to all requirements of existing law pertaining thereto, and not inconsistent with the provisions of this Act, and with respect to its business of accident and health insurance shall be subject to all requirements of existing law pertaining thereto and not inconsistent with the provisions of this Act.

§ 7. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

APPROVED May 31, 1911.

#### LIFE INSURANCE—AMENDMENTS TO CHARTERS.

1. Adds sub-section 1d to section 1,  
Act of 1869.

§ 1. Guarantee capital—invest-  
ment.

§ 1a. Number of persons who  
may organize.

§ 1b. Declaration of corporators  
—examination.

§ 1c. Books of subscriptions.

§ 1d. Amendments to charter—  
approval — recording—  
publication.

(SENATE BILL NO. 318. APPROVED MAY 31, 1911.)

AN ACT to amend section 1 of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869, as amended by an Act approved June 15, 1887, in force July 1, 1887, by adding a sub-section to be known as section 1d.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869, as amended by an Act approved June 15, 1887, in force July 1, 1887, be and the same is hereby amended by adding to the said section 1 a sub-section to be known as section 1d, so that said section 1 as amended shall read as follows:

§ 1. That before any life insurance company goes into operation, under the laws of this State, a guarantee capital of at least one hundred thousand dollars shall be paid in money and invested in the stocks of the United States or of this State, or of any city or town in this State, estimated at their market value, or in such other stocks and securities as may be approved by the Insurance Superintendent, or in mortgages being first liens on real estate in this State, the said real estate being worth at least twice the amount of money loaned thereon, with abstract showing a good and sufficient title, and the certificate of two reputable landholders, under oath, certifying to the value of said property.



§ 1a. Any number of persons, not less than nine, may organize an incorporated company to make insurance upon the lives of persons, and every insurance pertaining thereto, or connected therewith, and to grant or dispose of annuities.

§ 1b. The persons proposing to organize shall be designated as incorporators, and they shall file with the Insurance Superintendent a declaration, signed by each of the incorporators, setting forth their intentions to form a company for the purpose named in this Act, which declaration shall comprise a copy of the charter they propose to adopt, and the said charter shall set forth the name of the company, the place where it is to be located, the mode and manner in which the corporate powers of the company are to be exercised, the manner of electing the trustees or directors and officers, a majority of whom shall be citizens of this State at the time of such election; the manner of filling vacancies; the amount of capital stock and such other particulars as may be necessary to explain and make manifest the objects and purposes of the company, and the manner in which it is to be conducted. On the filing of such declaration as aforesaid, the Insurance Superintendent shall submit the same to the Attorney General for examination, and if found by him to be in accordance with the provisions of this Act, and not inconsistent with the laws and Constitution of this State and of the United States, he shall certify to the same, and deliver it back to the Insurance Superintendent, who shall cause said declaration, with the certificate of the Attorney General, to be recorded in a book to be kept for that purpose, and he shall furnish a certified copy of such declaration and certificate to the incorporators.

§ 1c. Whenever the incorporators who shall have received from the Insurance Superintendent such certified copy, and shall have published the same in a newspaper published in the county in which such insurance company is proposed to be located, they may open books to receive subscriptions to the capital stock, and shall keep such books open until the amounts required are subscribed, and shall proceed to collect in such capital and complete the organization.

§ 1d. No company organized under this Act shall increase or decrease its capital stock or otherwise amend its charter except in accordance with the provisions of this section and subject to the supervision of the insurance department as hereinafter provided. Whenever the board of directors, managers or trustees of any life insurance company organized under the provisions of this Act desire to make any change in or amendments to the charter of said company, they may call a special meeting of the stockholders of said company, if the same is a stock company, or of the members of said company, if the same is a mutual company, or of the stockholders and members, if the same is a stock and mutual company, for the purpose of submitting the question of such change or amendments to a vote of such stockholders or members, or both, as the case may be. Said meeting shall be called by [by] delivering personally, or depositing in the post office, at least

thirty days before the time fixed for such meeting, a notice properly addressed to each stockholder, or to each member, signed by a majority of said directors, managers or trustees, stating the time, place and specific object of such meeting. A general notice of the time, place and object of such meeting shall also be published, for three successive weeks, in some newspaper printed in or nearest the county in which the principal business office of said company is located. At any such meeting, stockholders or members may vote in person or by proxy. Each stockholder, in the case of a stock company, or of a stock and mutual company, shall be entitled to one vote for each share of stock held by him, and each member, in the case of a mutual company, or of a stock and mutual company, shall be entitled to one vote for each one thousand dollars of insurance held by him and each member shall have at least one vote; and votes representing two-thirds of all the stock in the case of a stock company, or of two-thirds of all the stock, if any, and of two-thirds of all the votes cast by the members present at the meeting in person or by proxy, in the case of other companies shall be necessary for the adoption of the proposed change or amendments. If it shall appear at any such meeting that a sufficient vote has been cast in favor of such proposed change or amendments, to adopt the same, a certificate thereof verified by the affidavit of the president, and under the seal of said company, shall be submitted to the Insurance Superintendent. If the Insurance Superintendent, upon examination of such certificate, finds that the proposed change or amendments have been adopted in accordance with the provisions of this section and that the same are not inconsistent with the laws and Constitution of this State, and of the United States, and that no reasonable objection exists thereto, he shall cause such certificate to be recorded in a book kept for the purpose, and thereupon the said change or amendments shall be and they are hereby declared to be effected and in force. If the Insurance Superintendent shall refuse to approve the said proposed change or amendments, he shall, within fifteen days from the date of the submission of the certificate thereof, notify the said company, in writing, of such refusal, assigning his reasons therefor.

After the recording of the said certificate by the Insurance Superintendent as aforesaid, a like certificate of the said change or amendments shall be filed for record in the office of the recorder of deeds of the county where the principal business office of said life insurance company is located, and said company shall also cause to be published in some newspaper in or nearest the county in which its principal office is located, a notice containing a copy of such change or amendments in its charter, for three successive weeks.

APPROVED May 31, 1911.

## MEDICINE AND SURGERY.

### LICENSE OF PHYSICIANS AND SURGEONS—REPORTS AND EXPENSES OF STATE BOARD OF HEALTH.

§ 1. Adds section 2a and amends section 11, Act of 1899.

§ 2a. Applicant must be graduate of medical college in good standing—pre-requisite to graduation—limited license—permanent license.

§ 11. Reports and expenses of State Board of Health.

(SENATE BILL NO. 235. APPROVED MAY 29, 1911.)

*AN ACT to amend section 11 of an Act entitled, "An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named," approved April 24, 1899, in force July 1, 1899, and to add to said Act one new section to be known as section 2a."*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of an Act entitled, "An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named," approved April 24, 1899, in force July 1, 1899, be and the same is hereby amended, and that said Act be and is hereby further amended by adding thereto one additional section to be known as section 2a, which said section as amended and said additional section shall read as follows:

§ 2a. The State Board of Health shall require that every applicant for a license to practice medicine and surgery in all their branches, in the State of Illinois (excepting only those physicians who may be entitled to a license under section 3a of the Act to which this Act is an amendment) shall present proof satisfactory to said board that he is a graduate of a medical college in good standing, as may be determined by the State Board of Health, and pass, before said board, an examination embracing those general subjects and topics, a knowledge of which is commonly and generally required of candidates for the degree of doctor of medicine, by reputable medical colleges in the United States: *Provided*, that the State Board of Health may, in its discretion, admit to examination a student who has completed, in a medical college determined in good standing, the course of instruction required by the rules of said board in medical colleges determined in good standing, and who has passed the examinations of said college, but has not received a diploma: *Provided, further*, that the said medical college shall require as a pre-requisite to graduation, a course of study extending over at least five calendar years. And if said student pass the examinations of the said board it may issue to him a limited license authorizing him to practice medicine and surgery in a hospital approved by said board and in no other place whatsoever in the State of Illinois, which limited license shall remain in effect for a period not exceeding eighteen months from the date thereof, and the State Board of Health may then issue to the applicant the regular permanent license of the board without further



examination or fee, on condition that the applicant present a diploma from the medical college in which he had completed a course, as prescribed by the rules of the said board, previous to the issuance of the limited license hereinbefore mentioned, and otherwise complies with the requirements of the board and with the provisions of the Act to which this Act is an amendment.

§ 11. On the 30th day of September of each year, the State Board of Health shall make a report showing all items of receipts from all sources and disbursements for all purposes, and all expenses incurred by the members of said board, except attorney fees, in the enforcement of the Act, to which this Act is an amendment, and all compensation provided for therein to said members may be paid out of the State treasury on appropriation being made therefor by the General Assembly.

APPROVED May 29, 1911.

PRACTICE OF PHARMACY—ACT OF 1901 AMENDED.

§ 1. Amends sections 4, 5, 7, 9, 10, 11 and 12, and adds section 15a, Act of 1901.

§ 4. Registered pharmacists—examination fee.

§ 5. Local registered pharmacists—examination fee.

§ 7. Apprentices—certificate of registration—fee.

§ 9. Board of Pharmacy—appointment—term.

§ 10. Organization of board—salary of secretary—bond—duties of officers—record—employees—meetings, etc.

§ 11. Compensation of members of board—how paid.

§ 12. Labels—prescription record—penalty for violation.

§ 15a. Money paid into State treasury.

(SENATE BILL NO. 376. APPROVED JUNE 10, 1911.)

AN ACT to amend sections 4, 5, 7, 9, 10, 11 and 12 of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain acts therein named," approved May 11, 1901, in force July 1, 1901, as amended by Act approved June 3, 1907, in force July 1, 1907, and to add thereto a new section to be known as section 15a.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 4, 5, 7, 9, 10, 11 and 12 of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain acts therein named," approved May 11, 1901, in force July 1, 1901, as amended by Act approved June 3, 1907, in force July 1, 1907, be amended, and that said Act be further amended by adding thereto a new section to be known as section 15a, which said sections as amended and said additional section shall read as follows:

§ 4. Registered pharmacists, by examination, must be persons not less than 21 years of age, of good moral character and temperate habits, and who have had four years' practical experience in compounding drugs in drug stores where the prescriptions of medical practitioners are compounded, or physicians holding certificates from the State Board of



Health, and have passed a satisfactory theoretical and practical examination before the State board of Pharmacy hereinafter mentioned. The said board, may, in its discretion, grant certificates of registration to such persons as shall furnish with their application satisfactory proof that they have been registered by examination in some other state: *Provided*, that such other state shall require a degree of competency equal to that required of applicants in this State. Every applicant for registration as a registered pharmacist shall pay to the secretary of the board the sum of ten dollars at the time of filing the application. The payment of said sum of money as aforesaid, shall entitle the applicant to take a second examination, in case he failed in the first, but no more: *Provided*, said second examination is taken within six months of the first; and upon the payment of an additional five dollars, in case the applicant passes a satisfactory examination, the secretary of the Board of Pharmacy shall issue to him a certificate as a registered pharmacist.

Actual time of attendance, but not to exceed two years, at any reputable school of pharmacy, college of pharmacy or department of pharmacy of a university, shall be accredited on the above required service under a registered pharmacist: *Provided*, that applicants are able to show by proper certificate from the school of pharmacy, college of pharmacy or department of pharmacy of a university which they have attended that their school work was satisfactory.

The State Board of Pharmacy shall make rules to establish a uniform and reasonable standard of educational requirements to be observed by schools and colleges of pharmacy or pharmacy departments of universities, and said board may determine the reputability of schools, colleges and departments of pharmacy by reference to their compliance with such rules.

§ 5. Any person shall be entitled to registration as a local registered pharmacist and shall be deemed a registered pharmacist within the meaning of this Act who is of the age of 21 years or over, of good moral character and temperate habits, and who shall have had four years' service under a registered pharmacist and shall pass a satisfactory examination before the State Board of Pharmacy. Each applicant for registration as local registered pharmacist shall pay to the said board the sum of ten dollars when his application is filed. The payment of said sum of money as aforesaid shall entitle the applicant to take a second examination in case he failed in the first, but no more: *Provided*, that said second examination is taken within six months of the first, and upon the payment of an additional five dollars, in case the applicant passes a satisfactory examination, the secretary of the State Board of Pharmacy shall issue to him a certificate as a local registered pharmacist. Said board shall have the right to refuse registration to applicants whose examinations and credentials are not satisfactory evidence of their competency. Said certificates shall be operative in and apply to the village, town, city, place or locality for which granted and no other.

Actual time of attendance, but not to exceed two years, at any reputable school of pharmacy, college of pharmacy or department of phar-

macy of a university, shall be accredited on the above required service under a registered pharmacist: *Provided*, that applicants are to show by proper certificate from the school of pharmacy, college of pharmacy or department of pharmacy of a university which they have attended that their school work was satisfactory: *Provided*, that no local registered pharmacist certificate shall be granted under this section for any village, town, or city, the population of which exceeds 1,500 according to the federal census next preceding: *Provided, further*, that any and all persons holding registered pharmacist time service certificates heretofore issued may have the same renewed from year to year in the same manner and under the same conditions as are provided herein for the renewal of registered pharmacist certificates.

§ 7. It shall be the duty of registered pharmacists who take into their employ an apprentice for the purpose of becoming a pharmacist to instruct said applicant to apply to said Board of Pharmacy for registration as apprentice, and the said Board of Pharmacy shall have the right to require such an examination as shall establish the educational qualifications of the applicant, and the date of experience required of applicants for assistant, or registered pharmacists, shall be computed from the date of registration as apprentice. The Board of Pharmacy shall furnish proper blanks for this purpose and issue a certificate of registration as a registered apprentice upon the payment of two dollars.

§ 9. The Governor, with the advice and consent of the Senate, shall appoint five persons from among such competent registered pharmacists in the State as have had ten years' practical experience in the dispensing of physicians' prescriptions since such registration, who shall constitute the Board of Pharmacy. The persons so appointed shall hold their offices for five years: *Provided*, that the terms of office shall be so arranged that the term of one shall expire on the thirty-first day of December of each year, and the vacancies so created, as well as all vacancies otherwise occurring, shall be filled by the Governor. The Illinois Pharmaceutical Association shall annually report directly to the Governor, recommending the names of at least three persons whom said association shall deem best qualified to fill any vacancies which shall occur in said board.

§ 10. The Board of Pharmacy shall elect a president from among its members, and a secretary, who shall not be a member of said board. Said secretary shall receive a salary of \$3,000.00 per annum. He shall also receive his traveling and other expenses incurred in the performance of his official duties. The board shall require the secretary to give a good and sufficient bond for the faithful performance of his duties. It shall be the duty of the board to examine all applications for registration submitted in proper form; to grant certificates of registration to such persons as may be entitled to the same under the provisions of this Act; to cause the prosecution of all persons violating its provisions; to prescribe the duties of the secretary and to make an annual report to the Governor and to the Illinois Pharmaceutical Association of all monies received and disbursed under the provisions of this Act, which

report shall also include a record of the proceedings of the board and also the names of all registered pharmacists, assistant pharmacists and apprentices to whom certificates were granted during the time covered by the report. The board is also empowered to employ such clerks, stenographers, inspectors and other assistants as may be necessary to fully carry out the provisions of this Act. The board shall hold meetings for the examination of applicants for registration and the transaction of such other business as shall pertain to its duties, at least once in six months: *Provided*, that said board shall hold meetings at least once in every year in the city of Chicago and in the city of Springfield, and it shall give thirty days' public notice of the time and place of such meeting; shall have the power to make by-laws for the proper fulfillment of its duties under this Act, and shall keep a book of registration in which shall be entered the names and places of business of all persons registered under this Act, which book shall also specify such facts as said persons shall claim to justify their registration. Three members of said board shall constitute a quorum.

§ 11. The members of the board shall receive as compensation for their services the sum of eight dollars for each day actually engaged in this service. The compensation of the members of the board shall be payable upon bills of particulars certified to as correct by the president of the Board of Pharmacy and approved by the Governor and the Auditor of Public Accounts shall pay such compensation out of any monies which may from time to time be appropriated for that purpose. Each member of the board shall receive his traveling and other expenses incurred in the performance of his official duties, payable out of any appropriation which may be made for such purpose.

§ 12. No person shall sell at retail any drug, medicine or poison without affixing to the box, bottle, vessel or package containing the same a label bearing the name of the article distinctly shown, with the name and place of business of the registered pharmacist from whom the article was obtained: *Provided*, nothing in this section shall apply to the sale of patent or proprietary preparations which do not contain cocaine, alpha or beta eucaine, or any salt or any compound or derivative of the foregoing substances, when sold in original and unbroken packages, nor with the dispensing of physicians' prescriptions, nor with the sale of paris green or lead arsenate when sold for insecticide purposes only. Every proprietor or manager of a drug store or pharmacy, shall keep in his place of business a suitable book or file, in which shall be preserved for a period of not less than five years, the original of every prescription compounded or dispensed at such store or pharmacy, numbering, dating and filing them in the order in which they were compounded, and shall produce the same in court or before any grand jury whenever thereto lawfully required. Said book or file of original prescriptions shall at all times be open for inspection by duly author-



ized officers of the law. Any person failing to comply with the requirements of this section shall be liable to a penalty of \$5 for any and every offense.

§ 15a. All moneys received by the State Board of Pharmacy from whatsoever source shall be paid into the State treasury on the thirtieth day of September and the thirty-first day of March of each year following the adoption of this Act.

APPROVED June 10, 1911.

## MINES AND MINING.

### BLACK BLASTING POWDER—SPECIFICATIONS, ETC.

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| § 1. Specifications.          | § 3. Offenses and penalties. |
| § 2. Stamping keg or package. | § 4. Samples and tests.      |

(HOUSE BILL NO. 548. APPROVED JUNE 7, 1911.)

AN ACT to promote the safety of persons and property in coal mines by regulating the character of black blasting powder sold to be used in coal mines.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That black powder for use for blasting in coal mines shall conform to the following specifications:

(a) It shall have a specific gravity of not less than 1.74 nor more than 1.90.

(b) It shall have a moisture content of not to exceed one per cent at the time when shipped by the manufacturer or his agent.

(c) Said powder shall be sold for use in coal mines only in seven sizes of granulation to be determined as follows:

CCC shall be powder which shall pass through a screen having round hole perforations of 40-64 of an inch in diameter and remain on a screen having round hole perforations of 32-64 of an inch in diameter.

CC shall be powder which shall pass through a screen having round hole perforations of 36-64 of an inch in diameter and remain on a screen having round hole perforations of 24-64 of an inch in diameter.

C shall be powder which shall pass through a screen having round hole perforations of 27-64 of an inch in diameter and remain on a screen having round hole perforations of 18-64 of an inch in diameter.

F shall be powder which shall pass through a screen having round hole perforations of 20-64 of an inch in diameter and remain on a screen having round hole perforations of 12-64 of an inch in diameter.

FF shall be powder which shall pass through a screen having round hole perforations of 14-64 of an inch in diameter and remain on a screen having round hole perforations of 7-64 of an inch in diameter.



FFF shall be powder which shall pass through a screen having round hole perforations of 9-64 of an inch in diameter and remain on a screen having round hole perforations of 3-64 of an inch in diameter.

FFFF shall be powder which shall pass through a screen having round hole perforations of 5-64 of an inch in diameter and remain on a screen having round hole perforations of 2-64 of an inch in diameter.

In testing powder for size of granulation as herein required, it shall be permissible for a given size to contain not to exceed  $7\frac{1}{2}$  per cent by weight of grains of the size next larger and  $7\frac{1}{2}$  by weight of grains of the size next smaller.

§ 2. All black powder sold for use in coal mines in this State shall have plainly stamped on the keg or package in which it is contained the letter showing the size of granulation according to the requirements of this Act.

§ 3. Any person, firm or corporation who shall sell for use in coal mines in this State any black powder not stamped as herein required, or who shall knowingly sell for use in coal mines in this State any powder which is untruthfully branded or stamped, and any person, firm or corporation being a manufacturer of black powder, or the agent of any such manufacturer of black powder who shall sell for use in any coal mine in this State, any powder which shall not conform to the requirements of this Act in respect to the specific gravity and moisture content shall be guilty of a misdemeanor, and shall be punishable by a fine of not exceeding \$100.00 or by imprisonment in the county jail for not exceeding ninety (90) days, or both, in the discretion of the court.

§ 4. (a) State mine inspectors and deputy mine inspectors shall have authority to sample black blasting powder used for blasting purposes in coal mines in this State, or kept on hand for sale or intended for shipment for use in such mines, and for such purpose they may enter upon the premises of any person.

(b) An inspector when sampling black blasting powder shall secure as accurate an average sample as is practicable, and shall test the granulation of such sample with the screens provided for in this Act.

(c) If the inspector shall desire to have said sample tested for specific gravity or moisture content, he shall send the same to the State Mining Board for that purpose, and when such samples are intended to be tested for moisture content, they must be taken at the mill or warehouse of the manufacturer or manufacturer's agent, or in the railroad car for shipment at said mill or the warehouse; and said samples when so taken shall be immediately sealed moisture-proof before being sent to the State Mining Board.

When such samples are received by the State Mining Board they shall cause the same to be properly and accurately tested for specific gravity and for moisture content.

(d) If samples of powder when sampled and tested as provided in this Act shall be found not to comply with the provisions herein, the person, firm or corporation guilty of violating the provisions of this Act shall be prosecuted in accordance with the provisions hereof.

APPROVED June 7, 1911.

#### COAL MINES—GENERAL REVISION.

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| <p>§ 1. (a.) State Mining Board.<br/>(b.) Powers and duties of board.<br/>(c.) Date and term of appointment.<br/>(d.) Supplies furnished by Secretary of State.<br/>(e.) Meetings—examinations.<br/>(f.) Rules of procedure.<br/>(g.) Compensation of members—salary of chief clerk.</p> <p>§ 2. (a.) Credentials.<br/>(b.) Examinations for inspectors.<br/>(c.) Names certified to Governor.<br/>(d.) Examinations for mine managers.<br/>(e.) Examinations for mine examiners.<br/>(f.) Examinations for hoisting engineers.<br/>(g.) Examination papers preserved.</p> <p>§ 3. (a.) Certificates issued by the board.<br/>(b.) Record to be preserved.<br/>(c.) Effect of certificates.<br/>(d.) Unlawful to employ other than certificated mine managers.<br/>(e.) Unlawful to employ other than certificated mine examiners.<br/>(f.) Unlawful to employ other than certificated hoisting engineers.<br/>(g.) Temporary employment of uncertificated persons not extended.<br/>(h.) Removal of inspectors.<br/>(i.) Cancellation of certificates.</p> <p>§ 4. Inspection districts.</p> <p>§ 5. (a.) Inspectors appointed.<br/>[(b.) Omitted.]<br/>(c.) Bond.<br/>(d.) Instruments.<br/>(e.) Examination of mines.<br/>(f.) Scope of examination.<br/>(g.) Authority to enter.<br/>(h.) Procedure in case of objection.<br/>(i.) Notices to be posted.<br/>(j.) Sealer of weights.<br/>(k.) Test weights.<br/>(l.) Inspectors' annual reports.<br/>(m.) Reports to be published.<br/>(n.) Reports by operators.</p> <p>§ 6. Pay of inspectors.</p> | <p>§ 7. (a.) Maps required.<br/>(b.) Surface survey.<br/>(c.) Underground survey.<br/>(d.) Map for every seam.<br/>(e.) Separate map for surface.<br/>(f.) The dip.<br/>(g.) Copies for inspectors and recorders.<br/>(h.) Annual surveys.<br/>(i.) Abandoned mines.<br/>(j.) Special survey.<br/>(k.) Penalties for failure.</p> <p>§ 8. Sinking subject to inspection.</p> <p>§ 9. (a.) Two places of egress.<br/>(b.) Distance from main shaft.<br/>(c.) Unlawful to employ more than ten men.<br/>(d.) Stairway or cages.<br/>(e.) Passageways to escape-ment.<br/>(f.) Communications with adjacent mines.</p> <p>§ 10. (a.) Gates at landings.<br/>(b.) Lights on landings.<br/>(c.) Hoisting equipment.<br/>(d.) Brake on drum—flanges—rope fastenings—indicator.<br/>(e.) Signals.<br/>(f.) Gauges.<br/>(g.) Safety valves.<br/>(h.) Inspection of boilers.<br/>(i.) Run-around at bottom.<br/>(j.) Refuge place on shaft bottom.<br/>(k.) Obstructions in shaft.<br/>(l.) Inspection.</p> <p>§ 11. (a.) Buildings on the surface.<br/>(b.) Oil and other explosives.<br/>(c.) Engine and boiler house.</p> <p>§ 12. [a.] Top-man and bottom-man.<br/>(b.) Speed of cages and other regulations.<br/>(c.) Rights of men to come out.</p> <p>§ 13. Safety lamps.</p> <p>§ 14. Ventilation.</p> <p>§ 15. (a.) Refuge places—power haulage roads.<br/>(b.) Refuge places—mule roads.<br/>(c.) Room—necks as refuge places.<br/>(d.) Keeping refuge places clear.<br/>(e.) Gob on haulage roads.</p> |
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COAL MINES—GENERAL REVISION—*Concluded.*

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| § 16. Cars.  | § 20. (a.) Duty of mine manager.<br>(b.) Power of mine manager.   |
| § 17. (a.) Voltage.<br>(b.) Wires crossing haulage ways.<br>(c.) Terminal ends guarded.  | § 21. (a.) Certificated mine examiners.<br>(b.) Duty of mine examiner.  |
| § 18. (a.) Oil standard.<br>(b.) Brands of oil.<br>(c.) Penalty.<br>(d.) Sampling and testing.   | § 22. Duty of hoisting engineer.  |
| § 19. (a.) Amount of powder kept in mine.<br>(b.) Place and manner of keeping in mine.<br>(c.) Manner of handling.<br>(d.) Quantity of powder in one charge.<br>(e.) Standard charger.<br>(f.) Dead holes.<br>(g.) Mixed shots.<br>(h.) Copper tools.<br>(i.) Tamping.<br>(j.) Use of squibs.<br>(k.) Warning before firing.<br>(l.) Not more than one shot at a time.<br>(m.) Missed shots.<br>(n.) Missed shots—how drawn. | § 23. Special rules.<br>§ 24. (a.) Ten-foot limit.<br>(b.) Approaching abandoned workings.<br>§ 25. (a.) Duty of inspector.<br>(b.) Coroner's inquest.<br>(c.) Investigation by inspection.<br>§ 26. Stretchers and blankets.<br>§ 27. (a.) Scales.<br>(b.) Weighman.<br>(c.) Check weighman.<br>§ 28. Boys and women.<br>§ 29. Penalties.<br>§ 30. Definition of terms.<br>§ 31. Repeal. |

(HOUSE BILL No. 544. APPROVED JUNE 6, 1911.)

AN ACT to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* (a) That the Governor, with the advice and consent of the Senate, shall appoint a State Mining Board which shall be composed of five members, two of whom shall be practicing coal miners, one a practicing coal mine hoisting engineer, and two coal operators.

POWERS AND DUTIES OF BOARD. (b) Said board shall be authorized, empowered and required to make formal inquiry into and pass upon the practical and technological qualifications and personal fitness of men seeking appointment as State inspectors of mines, and of those seeking certificates of competency as mine managers, as hoisting engineers and as mine examiners. Said board also shall have such other powers and duties as may be prescribed by the provisions of this Act, or any other Act relating to coal mining. Said board also shall control and direct the State mine inspectors hereinafter provided for, in the discharge of their duties. Said board also shall cause to be collected statistical details relating to coal mining in the State, especially in its relations to the vital, sanitary, commercial and industrial conditions, and to the permanent prosperity of said industry; and said board shall cause such statistical details to be compiled and summarized as a report of said State Mining Board, to be known as the Annual Coal Report.

DATE AND TERM OF APPOINTMENT. (c) Their appointment shall date from July 1, 1911, and they shall serve for a term of two years,

or until their successors are appointed and qualified. They shall all be sworn to a faithful performance of their duties. One of the coal operators member of said board shall be elected as president, and one of the coal miners member of said board shall be elected as secretary. The board may appoint a chief clerk and may employ such other persons as may be necessary for the proper discharge of its powers and duties; all of whom shall perform such duties as may be prescribed by the board from time to time, and the board may from time to time also prescribe standing and other rules for the control and direction of its officers and employes and of the State mine inspectors.

**SUPPLIES FURNISHED BY SECRETARY OF STATE.** (*d*) The Secretary of State shall assign to the use of the board, suitably furnished rooms in the State House, and shall also furnish whatever blanks, blank books, printing, stationery, instruments and supplies the board may require in the discharge of its duties, and for the use of State mine inspectors.

**FREQUENCY OF MEETINGS.** (*e*) The board shall hold such meetings from time to time as may be necessary for the proper discharge of its duties. The board shall meet at the Capitol on the second Tuesday in September of the year 1911, and annually thereafter, for the examination of candidates for appointment as State inspectors of mines. Special examinations also may be held whenever for any reason it may become necessary to appoint one or more inspectors.

For the examination of persons seeking certificates of competency as mine managers, hoisting engineers and mine examiners, the board shall hold meetings at such times and places within the State as shall, in the judgment of the members, afford the best facilities to the greatest number of candidates.

Public notice shall be given through the press or otherwise, not less than ten days in advance, announcing the time and place at which any examinations under this section are to be held.

**RULES OF PROCEDURE.** (*f*) The examinations herein provided for shall be conducted under rules, conditions and regulations prescribed by the board. Such rules shall be made a part of the permanent record of the board, and such of them as relate to candidates shall be, upon application of any candidate, furnished to him by the board; they shall also be of uniform application to all candidates.

**COMPENSATION OF MEMBERS.—SALARY OF CHIEF CLERK.** (*g*) The members of the State Mining Board shall receive as compensation for their services the sum of five dollars (\$5) each per day for a term not exceeding one hundred (100) days in any one year, and whatever sums are necessary to reimburse them for such actual and necessary traveling expenses as may be incurred in the discharge of their duties.

The salary of the chief clerk shall be \$2,000 per annum, and he shall be reimbursed for any amounts expended for actual and necessary traveling expenses in the discharge of his duties.

All salaries and expenses of the board and of its employes shall be paid upon vouchers duly sworn to by each and approved by the presi-



dent of the board, or in his absence by the acting president, and by the Governor, and the Auditor of Public Accounts is hereby authorized to draw his warrants on the State treasury [Treasurer] for the amounts thus shown to be due, payable out of any money in the treasury not otherwise appropriated.

§ 2. CREDENTIALS. (a) An applicant for any certificate herein provided for, before being examined, shall register his name with the State Mining Board and file with the board the credentials required by this Act, to-wit: An affidavit as to all matters of fact establishing his right to receive the examination, and a certificate of good character and temperate habits, signed by at least ten residents of the community in which he resides.

EXAMINATIONS FOR INSPECTORS. (b) Persons applying to the State Mining Board as candidates for appointment as State inspectors of mines must produce evidence satisfactory to the board that they are citizens of this State, at least thirty years of age, that they have had a practical mining experience of ten years, and that they are men of good repute and temperate habits; they must pass an examination as to their practical and technological knowledge of mine surveying and mining machinery and appliances, of the proper development and operation of coal mines, of ventilation in mines, of the nature and properties of mine gases, of first aid to injured, of mine rescue methods and appliances, of the geology of the coal measures in this State, and of the laws of this State relating to coal mines.

NAMES CERTIFIED TO THE GOVERNOR. (c) At the close of each examination for inspectors the board shall certify to the Governor the names of all candidates who have received a rating above the minimum fixed by the rules of the board as being persons properly qualified for the position of inspector.

EXAMINATIONS FOR MINE MANAGERS. (d) Persons applying to the board for certificates of competency as mine managers must produce evidence satisfactory to the board that they are citizens of the United States, at least twenty-four years of age, that they have had at least four years' practical mining experience, and that they are men of good repute and temperate habits; they must also pass such examination as to their experience in mines and in the management of men, their knowledge of mine machinery and appliances, the use of surveying and other instruments used in mining, the properties of mine gases, the principles of ventilation, of first aid to injured, of mine rescue methods and appliances, and the legal duties and responsibilities of mine managers, as shall be prescribed by the rules of the board.

FOR MINE MANAGERS, SECOND CLASS. (d) Persons coming before the board for certificates of competency as mine managers, second class, must produce evidence satisfactory to the board that they are citizens of the United States, at least twenty-four years of age, that they have had at least four years' practical mining experience, and that they are men of good repute and temperate habits; they must also submit to and

satisfactorily pass such an examination as to their experience in mines and in the management of men, their knowledge of coal mining, mine ventilation and the mining laws of this State and the required duties and responsibilities of second class mine managers, as shall be prescribed by the rules of the board, and it shall be unlawful to employ second-class mine managers, or for them to serve in that capacity at mines employing more than ten men.

**EXAMINATIONS FOR MINE EXAMINERS.** (e) Persons applying to the board for certificates of competency as mine examiners, must produce evidence satisfactory to the board that they are citizens of the United States, at least twenty-one years of age, and of good repute and temperate habits, and that they have had at least four years' practical mining experience. They must pass an examination as to their experience in mines generating dangerous gases, their practical and technological knowledge of the nature and properties of fire-damp, the laws of ventilation, the structure and uses of safety lamps, and the laws of this State relating to safeguards against fires from any source in mines.

**EXAMINATIONS FOR HOISTING ENGINEERS.** (f) Persons applying to the board for certificates of competency as hoisting engineers must produce evidence satisfactory to the board that they are citizens of the United States, at least twenty-one years of age, that they have had at least two years' experience as fireman or engineer of a hoisting plant, and are of good repute and temperate habits. They must pass an examination as to their experience in handling hoisting machinery, and as to their practical and technological knowledge of the construction, cleaning and care of steam boilers, the care and adjustment of hoisting engines, the management and efficiency of pumps, ropes and winding apparatus, and as to their knowledge of the laws of this State in relation to signals and the hoisting and lowering of men at mines.

**EXAMINATION PAPERS PRESERVED.** (g) There shall be a written and an oral examination of applicants as may be prescribed by the rules of the board; and all written examination papers and all other papers of applicants shall be kept on file by the board for not less than one year, during which time any applicant shall have the right to inspect his said papers at all reasonable times; and any applicant shall be entitled to a certified copy of any or all of his said papers upon payment of a reasonable copy fee therefor.

**§ 3. CERTIFICATES ISSUED BY THE BOARD.** (a) The certificates provided for in this Act shall be issued under the signature and seal of the State Mining Board, to all those who receive a rating above the minimum fixed by the rules of the board; such certificates shall contain the full name, age and place of birth of the recipient and the length and nature of his previous service in or about coal mines.

**RECORD TO BE PRESERVED.** (b) The board shall make and preserve a record of the names and addresses of all persons to whom certificates are issued.

**EFFECT OF CERTIFICATES.** (c) The certificates provided for in this Act shall entitle the holders thereof to accept and discharge at any mine in this State, the duties for which they are declared qualified.

**UNLAWFUL TO EMPLOY OTHER THAN CERTIFICATED MINE MANAGERS.**

(d) It shall be unlawful for the operator of any coal mine to have in his service as mine manager at his mine, any person who does not hold a certificate of competency issued by the State Mining Board of this State: *Provided*, that whenever any exigency arises by which it is impossible for any operator to secure the immediate services of a certified mine manager, he may place any trustworthy and experienced man of the mine inspection district in charge of his mine to act as temporary mine manager for a period not exceeding seven days, and with the approval of the State inspector of the district, for a further period not exceeding twenty-three days.

**UNLAWFUL TO EMPLOY OTHER THAN CERTIFICATED MINE EXAMINERS.**

(e) It shall be unlawful for the operator of any mine to have in his service as mine examiner any person who does not hold a certificate of competency issued by the State Mining Board: *Provided*, that any one holding a mine manager's certificate may serve as mine examiner; but in any mine employing more than twenty-five (25) men, the mine manager shall not act in the capacity of mine examiner while acting as mine manager: *And, provided*, whenever an exigency arises by which it is impossible for any operator to secure the immediate services of a certificated examiner, he may employ any trustworthy and experienced man of the mine-inspection district to act as temporary mine examiner for a period not exceeding seven days, and with the approval of the State inspector of the district, for a further period not exceeding twenty-three days.

**UNLAWFUL TO EMPLOY OTHER THAN CERTIFICATED HOISTING ENGINEER.** (f) It shall be unlawful for the operator of any mine to permit any person who does not hold a certificate of competency as hoisting engineer issued by the State Mining Board, to hoist or lower men, or to have charge of the hoisting engine when men are underground.

**TEMPORARY EMPLOYMENT OF UNCERTIFICATED PERSONS NOT EXTENDED.** (g) The employment of persons who do not hold certificates as mine managers and mine examiners, shall in no case exceed the limit of time specified herein, and the State inspector shall not approve of the employment of such persons beyond the twenty-three day limit.

**REMOVAL OF INSPECTORS.** (h) Upon a petition signed by not less than three coal operators, or ten coal miners, setting forth that any State inspector of mines neglects his duties, or that he is incompetent, or that he is guilty of malfeasance in office, or guilty of any act tending to the unlawful injury of miners or operators of mines, it shall be the duty of the State Mining Board to issue a citation to the said inspector to appear before it within a period of fifteen days on a day fixed for said hearing; when the said board shall investigate the allegations of the petitioners; and if the said board shall find that the said inspector is neglectful of his duty, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, the said board shall declare the office of said inspector vacant, and a properly qualified person shall be duly appointed, in the manner provided for in this Act, to fill said vacancy.



CANCELLATION OF CERTIFICATES. (i) The certificate of any mine manager, hoisting engineer or mine examiner, may be canceled and revoked by the State Mining Board upon notice and hearing as hereinafter provided, if it shall be established in the judgment of said board that the holder thereof has become unworthy to hold said certificate by reason of violation of the law, intemperate habits, incapacity, abuse of authority or for any other cause: *Provided*, that any person against whom charges or complaints are made hereunder shall have the right to appear before said board and defend against said charges, and he shall have fifteen days' notice in writing of such charges previous to such hearing: *Provided, further*, that the board in its discretion may suspend the certificate of any person charged as aforesaid, pending said hearing, but said hearing shall not be unreasonably deferred.

§ 4. INSPECTION DISTRICTS. The State shall be divided into twelve inspection districts, said divisions to be made by the State Mining Board. The board may also change from time to time the boundaries of said districts, in order to more equally distribute the labor and expenses of the several mine inspectors, but this provision shall not be construed as authorizing the State Mining Board to increase the number of districts.

§ 5. INSPECTORS APPOINTED. (a) From the names certified by the State Mining Board, the Governor shall select and appoint twelve State mine inspectors; that is to say, one inspector for each of the twelve inspection districts provided for in this Act; or more, if, in the future, additional inspection districts shall be created, and their commissions shall be for a term of two years from July first, provided the term of any State mine inspector in office July 1, 1911, shall be extended to October 1, 1911, and provided any State inspector in actual service and good standing and who has passed one examination under this Act may be reappointed for the next ensuing term, without further certification, but shall not be so reappointed more than three times: *Provided, further*, no man shall be eligible for appointment as a State inspector of mines who has any pecuniary interest in any coal mine in Illinois.

The county board of supervisors, or of commissioners in counties not under township organization, or any county in which coal is produced, upon the written request of the State Inspector of Mines for the district in which said county is located, shall appoint a county inspector of mines as assistant to such State inspector, but no person shall be eligible for appointment as county inspector who does not hold a State certificate of competency as mine manager, and the compensation of such county inspector shall be fixed by the county board at not less than three dollars per day, to be paid out of the county treasury.

The State inspector may authorize any county inspector in his district to assume and discharge all the duties and exercise all the powers of a State inspector in the county for which he is appointed, in the absence of the State inspector; but such authority must be conferred in writing and the county inspector must produce the same as evidence



of his powers upon the demand of any person affected by his acts; and the bond of said State inspector shall be holden for the faithful performance of the duties of such assistant inspector.

**BOND.** (c) State inspectors, before entering upon their duties as such, must take an oath of office, as provided for by the Constitution, and enter into a bond to the State in the sum of five thousand dollars (\$5,000) for State mine inspectors, with sureties to be approved by the Governor, conditioned upon the faithful performance of their duties in every particular, as required by this Act. Said bonds, with the approval of the Governor endorsed thereon, together with the oath of office, shall be deposited with the Secretary of State.

**INSTRUMENTS.** (d) The State Mining Board shall furnish to each of said State inspectors an anemometer, a safety-lamp and such other instruments and such blanks, blank-books, stationery, printing and supplies as may be required by said inspectors in the discharge of their official duties. Said instruments and supplies shall be paid for on bills of particulars certified by the proper officers of the board and approved by the Governor; and the Auditor of Public Accounts shall draw his warrants on the State treasury [Treasurer] for the amounts thus shown to be due, payable out of any money in the treasury not otherwise appropriated.

**EXAMINATION OF MINES.** (e) State inspectors shall devote their whole time and attention to the duties of their respective offices. State inspectors shall make personal examination at least once in every six months of each mine in their district in which marsh gas has been detected in quantities which, in the judgment of the State Mining Board, is dangerous. The State Mining Board also may require State inspectors personally to examine any or all other mines in their respective districts. State inspectors may be assigned by the State Mining Board to examine mines which have not been classified as generating marsh gas in dangerous quantities. Every mine in the State shall be examined at least once in every six months.

**SCOPE OF EXAMINATION.** (f) Every State inspector in the regular inspection of mines shall measure with an anemometer and determine the amount of air passing in the last cross-cut in each pair of entries in pillar and room mines, or in the last room of each division in long-wall mines. He shall also measure with an anemometer and determine the amount of air passing at the inlet and outlet of the mines; and he shall compare all such air measurements with the last report of the mine examiner and the mine manager upon the mine examination book of the mine. He must observe that the legal code of signals between the engineer and top man and bottom man is established and conspicuously posted for the information of all employés.

State inspectors also shall require that every necessary precaution be taken to insure the health and safety of the workmen employed in the mines, and that the provisions and requirements of all the mining laws of this State are obeyed.

State inspectors shall render written reports of mine inspections made by them to the State Mining Board in such form and manner as shall be required by the board. State inspector[s] shall take prompt action for the enforcement of the penalties provided for violation of the mining laws.

**AUTHORITY TO ENTER.** (g) It shall be lawful for State inspectors to enter, examine and inspect any and all coal mines and the machinery belonging thereto, at all reasonable times, by day or by night, but so as not to unreasonably obstruct or hinder the working of such coal mine, and the operator of every such coal mine is hereby required to furnish all necessary facilities for making such examination and inspection.

**PROCEDURE IN CASE OF OBJECTION.** (h) If any operator shall refuse to permit such inspection or to furnish the necessary facilities for making such examination and inspection, the inspector shall file his affidavit, setting forth such refusal, with the judge of the circuit court in said county in which said mine is situated, either in term time or vacation, or, in the absence of said judge, with a master in chancery in said county in which said mine is situated, and obtain an order on such owner, agent or operator so refusing as aforesaid, commanding him to permit and furnish such necessary facilities for the inspection of such coal mine, or to be adjudged to stand in contempt of court and punished accordingly.

**NOTICES TO BE POSTED.** (i) The State inspector shall post in some conspicuous place at the top of each mine inspected by him, a plain statement showing what in his judgment is necessary for the better protection of the lives and health of persons employed in such mine; such statement shall give the date of inspection and be signed by the inspector. He shall post a notice at the landing used by the men, stating what number of men will be permitted to ride on the cage at one time and the rate of speed at which men may be hoisted and lowered on the cages.

**SEALER OF WEIGHTS.** (j) State inspectors are hereby made *ex officio* sealer of weights and measures in their respective districts, and as such are empowered to test all scales used to weigh coal at coal mines. Upon the written request of any mine owner or operator, or of ten coal miners employed at any one mine, it shall be the duty of the inspector to test any scale or scales at such mine against which complaint is directed, and if he shall find that they or any of them do not weigh correctly, he shall call the attention of the mine owner or operator to the fact, and direct that said scale or scales be at once overhauled and readjusted so as to indicate only true and exact weights, and he shall forbid the further operation of such mine until such scales

are adjusted. In the event that such tests shall conflict with any test made by any county sealer of weights, or under and by virtue of any municipal ordinance or regulation, then the test by such mine inspector shall prevail.

TEST WEIGHTS. (k) For the purpose of carrying out the provisions of this Act, each State inspector shall be furnished by the State with a complete set of standard weights suitable for testing the accuracy of tract [track] scales and of all smaller scales at mines; said test weights to be paid for on bills of particulars, certified by the Secretary of State and approved by the Governor. Such test weights shall remain in the custody of the inspector for use at any point within his district, and for any amounts expended by him for the storage, transportation or handling of the same, he shall be fully reimbursed upon making entry of the proper items in his expense voucher.

INSPECTORS' ANNUAL REPORTS. (l) Each State inspector of mines shall, within sixty days after June 30th of each year, prepare and forward to the State Mining Board a formal report of his acts during the year in the discharge of his duties, with any recommendations as to legislation he may deem necessary on the subject of mining, and shall collect and tabulate upon blanks furnished by said board all desired statistics of mines and miners within his district to accompany said annual report.

REPORTS TO BE PUBLISHED. (m) On the receipt of said inspectors' reports the chief clerk of the State Mining Board shall compile and summarize the same, to be included in the report of said board, to be known as the Annual Coal Report, which shall, within four months thereafter, be bound, printed and transmitted to the Governor for the information of the General Assembly and the public. The printing and binding of said reports shall be provided for by the Commissioners of State Contracts in like manner and in like numbers as they provide for the publication of other official reports to the Governor.

REPORTS BY OPERATOR. (n) Every coal operator shall, within thirty days after June 30 of each year, furnish to the State mine inspector of the district, on blanks furnished by him prior to said June 30, statistics of the wages and conditions of their employes as required by law. The failure of any inspector to forward to the State Mining Board his formal report, as provided in paragraph [one] (1) hereof, or the failure of any coal operator to furnish to the State Mine Inspector of the district the statistics provided for herein, shall be adjudged a misdemeanor and be subject to a fine of \$100.

§ 6. PAY OF INSPECTORS. Each State Inspector of mines shall receive as compensation for his services the sum of \$1,800 per annum, and for traveling and other necessary expenses each shall receive the sum actually expended for that purpose in the discharge of his official duties: *Provided*, such expenses shall not exceed one hundred dollars (\$100) per calendar month for each State inspector of mines, both salary and expenses to be paid monthly by the State Treasurer, on warrants of the Auditor of Public Accounts, from the funds in the treasury not



otherwise appropriated; said expense vouchers shall show the items of expenditures in detail, with sub-vouchers for the same so far as it is practicable to obtain them. Said vouchers shall be sworn to by the inspector and be approved by the president of the State Mining Board and the Governor.

§ 7. MAPS REQUIRED. (a) The operator of every coal mine in the State shall make, or cause to be made, an accurate map or plan of such mine, drawn to a scale not smaller than 200 feet to the inch. All measurements shall be in feet and decimals of a foot. On such maps shall appear the name of the State, county and township in which the mine is located, the designation of the mine, the name of the company or owner, the certificate of the mining engineer or surveyor as to the accuracy and date of the survey, the north point and the scale to which the drawing is made.

SURFACE SURVEY. (b) Such map or plan shall accurately show the surface boundary lines of the coal rights pertaining to each mine, and all sections or quarter-section lines or corners within the same; the lines of town lots and streets; the tracks and side-tracks of all railroads, and the location of all wagon roads, rivers, streams, ponds, location and depth of holes drilled for oil, gas or water that penetrate a workable coal seam, and the elevation above the coal seam of any stream or body of water that might endanger the mine.

UNDERGROUND SURVEY. (c) For the underground workings, said maps shall show all shafts, slopes, tunnels or other openings to the surface or to the workings of a contiguous mine; all excavations, entries, rooms and cross-cuts; the location of the fan or furnace and the direction of the air currents; the location of pumps, hauling engines, engine planes, abandoned works, fire walls and standing water; and the outcrop line of the seam, if any, on the property.

The general outline of all areas in which pillars have been drawn shall be indicated on the map.

Each underground map also shall show, in feet and decimals thereof, the elevation of the floor of the coal at reasonable intervals on the main entries and cross entries from the bottom of the shaft to the face of the workings; such elevations shall be referred to the floor of the coal at the bottom of the hoisting shaft.

MAP FOR EVERY SEAM. (d) A separate and similar map, drawn to the same scale, shall be made of each and every seam, which, after the passage of this Act, shall be worked in any mine, and the maps of all such seams shall show all shafts, inclined planes or other passageways connecting the same.

SEPARATE MAP FOR THE SURFACE. (e) A separate map also shall be made of the surface whenever the surface buildings, lines or objects are so numerous as to obscure the details of the mine workings if drawn upon the same sheet with them, and in such case the surface



map shall be drawn on transparent cloth or paper, so that it can be laid upon the map of the underground workings, and thus indicate the relation of lines and objections on the surface to the excavations of the mine.

**THE DIP.** (f) Each map shall also show by profile drawing and measurements, in feet and decimals thereof, the rise and dip of the seam from the bottom of the shaft in either direction to the face of the workings.

**COPIES FOR INSPECTORS AND RECORDERS.** (g) The original or true copies of all such maps shall be kept in the office at the mine, and one true copy thereof shall be furnished to the State inspector of mines for the district in which said mine is located, and one shall be filed in the office of the recorder of the county in which the mine is located, within thirty days after the completion of the same. The maps so delivered to the inspector and to the recorder shall remain in the custody of said inspector and recorder during their respective terms of office, and be delivered by them to their successors in office. They shall be kept at the office of the inspector and of the recorder, and be open to the examination of all persons interested in the same, but such examination shall be made only in the presence of the inspector or the recorder. Neither the inspector nor the county recorder shall permit any copies of the same to be made without the written consent of the operator or the owner of the property.

The county recorder shall properly index such map as part of the title record of the property affected.

A copy of each map and extensions to the same shall be furnished the manager of the mine-rescue stations for his use in connection with rescue work only.

**ANNUAL SURVEYS.** (h) An extension of the last preceding survey of every mine in active operation shall be made once in every twelve months prior to July 1, of every year, and the results of said survey, with the date thereof shall be promptly and accurately entered upon the original maps and all copies of the same, so as to show all changes in plan or new work in the mine, and all extensions of the old workings to the most advanced face or boundary of said workings which have been made since the last preceding survey. The State inspector, the county recorder and the manager of the rescue stations shall be furnished with a copy of the said extended map or of the extensions to said map.

**ABANDONED MINES.** (i) When any coal mine is worked out or is about to be abandoned or indefinitely closed, the operator of the same shall make, or cause to be made, a final survey of such mine; to show the entire worked-out area when the mine was closed, and the results of the same shall be duly extended on all maps of the mine and copies thereof herein required to be filed.

**SPECIAL SURVEY.** (j) The State inspector of mines, or the State Mining Board, may order a survey to be made of the workings of any mine in addition to the regular annual survey, the results to be extended

on the maps of the same and the copies thereof, whenever the safety of the workmen, unlawful injury to the surface, unlawful encroachment upon adjoining property, or the safety of an adjoining mine requires it.

If the State inspector of mines or the State Mining Board shall believe any map required by this Act is materially inaccurate or imperfect, the State inspector or State Mining Board is authorized to make, or cause to be made, a correct survey and map at the expense of the operator, the cost recoverable as for debt: *Provided*, if such test survey shows the operator's map to be correct, the State shall be liable for the expense incurred, payable in such manner as other State accounts incurred by the State Mining Board.

**PENALTIES FOR FAILURE.** (k) If an operator of any mine refuses or wilfully neglects, for a period of three months, to furnish the said State inspector, the county recorder and the manager of the rescue stations the map or plan of such mine, or a copy thereof, or of the extensions thereto, as provided for in this Act, such operator shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, in the discretion of the court, and shall stand committed to the county jail until such fine is paid, and, in addition thereto, the State inspector or State Mining Board is hereby authorized to make, or cause to be made, an accurate map or plan of such mine at the expense of the operator thereof; and the cost of the same may be recovered by law from the operator in the same manner as other debts by suit, in the name of the State inspector or the State Mining Board, and for his or its use, and copies of the same shall be filed by him or the board, one each with said recorder and said manager of the rescue stations.

§ 8. SINKING SUBJECT TO INSPECTION. (a) Any shaft or other opening in process of sinking, or driving, for the purpose of mining coal, shall be subject to the inspection of the State inspector of mines for the district in which said shaft or opening is located.

(b) Over every shaft that is being sunk or shall hereafter be sunk, there shall be a safe and substantial structure to support sheaves or pulley ropes at a height not less than 15 feet above the tipping place. The landing platform of such shaft shall be so arranged that material can not fall into the shaft while the bucket is being emptied or taken from the hoisting rope. If provisions are made to land a bucket on a truck, said truck and platform shall be so arranged that material can not fall into the shaft.

(c) Rock or coal shall not be hoisted except in a bucket or on a cage when men are in the bottom of the shaft; and said bucket or cage must be connected to the hoisting rope by a safety hook, clevis or other safety attachment. The rope shall be fastened to the side of the drum and not less than three coils of rope shall remain on the drum. In shafts over 100 feet in depth, suitable provision shall be made to pre-

vent the bucket from swinging while being lowered or hoisted, and guides provided for this purpose shall be maintained at a distance of not more than 75 feet from the bottom of the shaft.

(d) An efficient brake shall be attached to the drum of the engine used for hoisting in shaft sinking, and the drum shall be provided with a flange on each end not less than 4 inches in height.

(e) Not more than four persons shall be lowered or hoisted in or on a bucket in a shaft at one time, and no person shall ride on a loaded bucket.

(f) All blasts in shaft sinking shall be exploded by electric battery.

(g) Provision shall also be made for the proper ventilation of shafts while being sunk.

(h) No one but a certificated hoisting engineer shall be in charge of the hoisting engines while a shaft is being sunk.

§ 9. TWO PLACES OF EGRESS. (a) For every coal mine in this State, whether worked by shaft, slope or drift, there shall be provided and maintained, in addition to the hoisting shaft, or other place of delivery, an escapement shaft or opening to the surface, or an underground communicating passageway with a contiguous mine, so that there shall be at least two distinct and available means of egress to all persons employed in such coal mines.

DISTANCE FROM MAIN SHAFT. (b) In mines sunk after the passage of this Act, the first escapement shaft shall be separated from the main shaft by such extent of natural strata as may be agreed upon by the inspector of the district and the owner of the property, but the distance between the main shaft and the escapement shaft shall not be less than 500 feet nor more than 2,000 feet: *Provided*, that in mines employing ten (10) men or less the distance between the hoisting shaft and the escapement shaft shall not be less than two hundred and fifty (250) feet.

UNLAWFUL TO EMPLOY MORE THAN TEN MEN. (c) It shall be unlawful to employ underground, at any one time, more men than in the judgment of the inspector are necessary to complete speedily the connections with the escapement shaft or adjacent mine; and said number must not exceed ten men at any one time for any purpose in said mine until such escapement or connection is completed.

The time allowed for completing such escapement shaft or making such connections with an adjacent mine, as is required by the terms of this Act, shall be three months for shafts 200 feet or less in depth, and six months for shafts less than 500 feet and more than 200 feet, and nine months for all other mines, slopes of [or] drifts, or connections with adjacent mines. The time to date in all cases from the hoisting of coal from the hoisting shaft: *Provided*, that in mines employing ten (10) men or less, the time for completing the escapement shaft shall not be more than six months from the time of hoisting coal.

STAIRWAYS OR CAGES. (d) The escapement shaft at every mine opened after the passage of this Act shall be equipped with a sub-



stantial stairway, set at an angle not greater than forty-five degrees, which shall be provided with hand-rails, and with platforms or landings at each turn of the stairway.

If any escapement shaft, at the time of the passage of this Act, be equipped with a cage for hoisting men, such shaft, cage and all equipment used in connection therewith must conform to the requirements of this Act in reference to the hoisting and lowering of men.

**PASSAGEWAYS TO ESCAPEMENT.** (e) Such escapement shaft or opening or communication with a contiguous mine as aforesaid, shall be constructed in connection with every seam of coal worked in such mine, and all passageways communicating with the escapement shaft or place of exit, from the main hauling ways to said place of exit, shall be maintained free of obstruction at least 5 feet high and 5 feet wide. Such passageways must be so graded and drained that it will be impossible for water to accumulate in any depression or dip of the same in quantities sufficient to obstruct the free and safe passage of men. No passageway to an escapement shaft shall pass through a stable. At all points where the passageway to the escapement shaft or other place of exit is intersected by other roadways or entries, conspicuous signboards shall be placed indicating the direction it is necessary to take in order to reach such place of exit.

**COMMUNICATIONS WITH ADJACENT MINES.** (f) When operators of adjacent mines have, by agreement, established underground communications between said mines as an escapement outlet for the men employed in both, the intervening doors shall remain unlocked and ready at all times for immediate use.

When such communication has once been established between contiguous mines, the operator of either shall not close the same without the consent of the operator of the contiguous mine and of the State inspector for the district: *Provided*, that when either operator desires to abandon mining operations the expense and duty of maintaining such communication shall devolve upon the party continuing the operations and using the same.

**§ 10. GATES AT LANDINGS.** (a) The upper and lower landing at the top of each shaft, and the opening of each intermediate seam from or to the shaft, shall be kept clear and free from loose materials, and shall be protected with automatic or other gates. At the top landing cage supports, where necessary, must be carefully set and adjusted so as to securely hold the cage when at rest.

**LIGHTS ON LANDINGS.** (b) Whenever the hoisting or lowering of men occurs before daylight or after dark, or when the landing at which men take or leave the cage is at all obscured by steam or otherwise, there must always be maintained at such landing a light sufficient to show the landing and surrounding objects distinctly. Likewise, as long as there are men underground in any mine the operator shall



maintain a good and sufficient light at the bottom of the shaft thereof, so that persons coming to the bottom may clearly discern the cage and objects in the vicinity.

**HOISTING EQUIPMENT.** (c) Every shaft in which men are hoisted and lowered must be equipped with a cage, or cages, fitted to guide-rails running from the top to the bottom. Said cages must be substantially constructed; they must be furnished with sheet-metal covers adequate to protect persons riding thereon from falling objects; they must be equipped with safety catches. Every cage on which persons are carried must be fitted with iron bars or rings in proper place and sufficient number to furnish a secure hand-hold for every person permitted to ride thereon. There shall be attached to every cage on which men are, or may be, hoisted or lowered, a horn or other device with which signals can be given on the cage.

(d) In connection with every hoisting engine used for hoisting or lowering of men there shall be provided as follows:

**BRAKE ON DRUM.** (1) A good and sufficient brake on the drum, so adjusted that it may be operated by the engineer without leaving his post at the levers.

**FLANGES.** (2) Flanges attached to the sides of the drum, with a distance when the whole rope is wound on the drum of not less than 4 inches between the outer layer of rope and the greatest diameter of the flange.

**ROPE FASTENINGS.** (3) One end of each hoisting rope shall be well secured on the drum, and at least three laps of the same shall remain on the drum when the cage is at rest at the lowest caging place in the shaft.

The lower end of each rope shall be securely fastened to the cage by suitable sockets and chains.

**INDICATOR.** (4) An index dial or indicator that plainly shows the engineer at all times the true position of the cages in the shaft.

**SIGNALS.** (e) At every mine where men are hoisted and lowered by machinery there shall be provided means of signaling to and from the bottom man, the top man and the engineer. The signal system shall consist of a tube, or tubes, or wire encased in wood or iron pipes, through which signals shall be communicated by electricity, compressed air or other pneumatic devices, or by ringing a bell. When compressed air or other pneumatic devices are used for signaling, provision must be made to prevent signal from repeating or reversing. The following signals shall be used at mines where signals are required:

From the bottom to the top: One ring or whistle shall signify to hoist coal or the empty cage, and also to stop either when in motion.

Two rings or whistles shall signify to lower cage.

Three rings or whistles shall signify that men are coming up or going down; when return signal is received from the engineer the men shall get on the cage and the proper signal to hoist or lower shall be given.

Four rings or whistles shall signify to hoist slowly, implying danger.

Five rings or whistles shall signify accident in the mine and a call for a stretcher.

Six rings or whistles shall signify hold cage perfectly still until signaled otherwise.

From top to bottom, one ring or whistle shall signify: All ready, get on cage.

Two rings or whistles shall signify: Send away empty cage.

*Provided*, that the operator of any mine may, with the consent of the inspector, add to this code of signals in his discretion. The code of signals in use at any mine shall be conspicuously posted at the top and at the bottom of the shaft, and in the engine room at some point in front of the engineer when standing at his post.

**GAUGES.** (*f*) Every boiler shall be provided with a glass water gauge and not less than three try cocks and also a steam gauge, except that where two or more boilers are equipped with a steam drum properly connected with the boilers to indicate the steam pressure and without any valves between said boilers and the steam drum, the steam gauge may be placed in said steam drum; and other steam gauge shall be attached to the steam pipe in the engine house, each to be placed in such a position that the engineer and the fireman can readily see what pressure is being carried. Such steam gauges shall be kept in good order, and adjusted and be tested as often, at least, as every six months.

**SAFETY VALVES.** (*g*) Every boiler shall be provided with a safety value with weights or springs properly adjusted, except that where two or more boilers are equipped with a steam drum properly connected with the boilers to indicate the steam pressure and without any valves between said boilers and the steam drum, the safety value may be placed in said steam drum.

**INSPECTION OF BOILERS.** (*h*) All boilers used in generating steam in and about coal mines or sinking shafts shall be kept in good order, and the operator of every coal mine where steam boilers are in use shall have said boilers thoroughly examined and inspected by a competent boilermaker or other qualified person, not an employé of said operator, as often as once in every six months, and oftener if the mine inspector shall so require in writing, and the result of every such inspection shall be reported on suitable blanks to said mine inspector.

**RUN-AROUND AT BOTTOM.** (*i*) At every underground landing where men enter or leave the cage and where men must pass from one side of the cage to the other there shall be a passageway, free from obstruction and dry as possible, around the shaft not less than three feet wide for the use of men only; and animals or cars shall not be taken through such passageway while men are passing or desirous of passing through such passageway.

**REFUGE PLACE ON SHAFT BOTTOM.** (*j*) A refuge place or places for men coming out at the close of the day's work shall be provided off the main bottom of cageroom in shaft mines, at a place or places and of such size as shall be approved by the State mining inspector. Such place or

places shall be not more than 400 feet from the hoisting shaft. When leaving such refuge places to be hoisted out, the men shall be governed by the rules of the mine.

**OBSTRUCTIONS IN SHAFT.** (*k*) No accumulation of ice or obstruction of any kind shall be permitted in any shaft in which men are hoisted or lowered; nor shall any dangerous gases or steam be discharged into said shaft in such quantities or at such times as to interfere with the safe passage of men. All surface or other water which flows therein shall be conducted by rings or otherwise to receptacles provided for the same in such manner as to prevent water from falling upon men while passing into or out of the mine or while in the discharge of their duties about the shaft bottom.

**INSPECTION.** (*l*) All shafts by which men enter or leave the mine, and the passageways leading thereto, or to the works of a contiguous mine used as an escapement shaft shall be carefully examined at least once each week that the mine is operating and the date and findings of such an examination entered promptly in the books kept at the mine for that purpose. If obstructions to the free passage of men are found, their location and nature shall be stated in said report. Such obstructions shall be promptly removed.

§ 11. **BUILDINGS ON THE SURFACE.** (*a*) After the passage of this Act, there shall not be erected or re-erected on the surface within 100 feet of any hoisting shaft or escapement shaft, any inflammable structure: *Provided*, that this paragraph shall not apply to mines employing ten (10) men or less.

**OIL AND OTHER EXPLOSIVES.** (*b*) No oils or similarly inflammable materials shall be stored within 100 feet of any hoisting or escapement shaft, nor in any mine.

All explosive materials shall be stored in a fireproof magazine located on the surface not less than 500 feet from all other buildings in connection with the mine, and such magazine shall be so placed as not to jeopardize the free and safe exit of men from the mine in case of an explosion at the magazine.

**ENGINE AND BOILER-HOUSE.** (*c*) Any building erected after the passage of this Act, for the purpose of housing the hoisting engine or boilers at any mine, shall be substantially fireproof, and no boiler-house shall be nearer than sixty feet to the main shaft or other opening, or to any building or inflammable structure connecting therewith.

§ 12. **TOP MAN AND BOTTOM MAN.** [*a*] At every shaft where men are hoisted or lowered by machinery, the operator shall station at the top and at the bottom of such shaft a competent man who shall be and is hereby charged with the duty of attending to signals, and is empowered to preserve order and enforce the rules governing the carriage of men on cages. Said top men [man] and bottom man shall be at their respective posts of duty at least half an hour before the hoisting of coal begins in the morning, and remain for half an hour after the hoisting ceases for the day.

**SPEED OF CAGES AND OTHER REGULATIONS.** (*b*) Cages on which men are riding shall not be lifted nor lowered at a rate of speed greater than



six hundred feet per minute, except with the written consent of the inspector. No person shall carry any tools, timber or other materials with him on any cage in motion, except for use in repairing the shaft, and no one shall ride on a cage containing either a loaded or empty car. No cage having an unstable or self-dumping platform shall be used for the carriage of men or materials, unless the same is provided with some device by which said platform can be securely locked, and unless it is so locked whenever men or materials are being conveyed thereon. No coal shall be hoisted in any shaft while men are being lowered therein.

RIGHTS OF MEN TO COME OUT. (c) Whenever men who have finished their day's work, or have been prevented from further work, shall come to the bottom to be hoisted out, an empty cage shall be given them for that purpose, unless there is an available exit by slope or stairway in an escapement shaft, and providing there is no coal at the bottom ready to be hoisted. In case of injury or *bona fide* illness, a man shall be given a cage at once.

§ 13. SAFETY LAMPS. (a) At every mine in this State, the operator shall provide and keep in condition for use not less than two safety lamps and shall provide and keep as many more as may be required in writing by the State mine inspector. Davy lamps shall not be used for any purpose except testing.

(b) All safety lamps shall be the property of the operator and when not in use shall remain in the custody of the mine manager or other competent person designated by him, who shall clean, fill, trim, examine and deliver same locked and in safe condition to the men when they enter the mine, or at some underground station designated by the mine manager for that purpose. He shall also receive the lamps from the men when they leave the mine or as they pass the underground lamp station at the end of their shift.

The person to whom lamps are thus given shall be responsible for the condition and proper use of the safety lamps while in their possession, and their return to the lamp station.

No safety lamps shall be given to any person for use in a mine nor shall any person use a safety lamp in a mine until said person has given evidence satisfactory to the mine manager that he understands the proper use thereof and the danger of tampering with the same.

(c) No person except one duly authorized by the mine manager shall have in his possession in any part of the mine where locked safety lamps are used any matches or other means of producing fire, or any lamp-key or other instrument usable for the opening of a locked safety lamp. Any person violating the provisions of this section shall be guilty of a misdemeanor and punishable as hereinafter provided relating to misdemeanors under this Act.

(d) Electric lamps which will not ignite explosive gases may be used instead of safety lamps for purposes for which safety lamps are required in this Act except for testing for explosive gas.

§ 14. VENTILATION. (a) At every coal mine there shall be provided and maintained artificial means for supplying an amount of air



which shall be not less than 100 cubic feet per minute for each person, and not less than 500 cubic feet per minute for each animal in the mine, measured at the foot of the downcast and of the upcast; except that in gaseous mines there shall be not less than 150 cubic feet of air per minute for each person in the mine. The inspector shall have power by order in writing to require these quantities to be increased.

(b) The main current of air shall be so split or subdivided as to give a separate current of reasonably pure air to every 100 men at work, and the inspector shall have authority to order, in writing, separate currents for smaller groups of men, if, in his judgment, special conditions render it necessary.

(c) Doors, curtains or brattices shall be placed at such places as may be designated by the mine manager, subject to the approval of the State inspector, for conducting the required amount of air into the working places. Curtains shall not be permanently used in main entries without the written consent of the State mine inspector.

(d) Away from the pillar for the mine bottom, cross-cuts between entries shall be made not more than sixty feet apart without permission of the State inspector of the district and then only in case of "faults." When such consent is given, brattice or other means must be provided within sixty feet of the face to convey the air to the working place until a cross-cut is opened up.

When undercut or sheared, the entry, cross-cut and room-neck may be advanced concurrently, but not more than one cutting shall be shot in the room-neck until the cross-cut is finished; and after the entry has advanced fifteen feet beyond the location of the new cross-cut, only one shot shall be fired in the entry to two in either or both the cross-cut and room-neck at the same shooting time.

When not undercut or sheared, the entry and cross-cut may be advanced concurrently, but no room shall be opened in advance of the last open cross-cut, and after the entry has advanced fifteen feet beyond the location of a new cross-cut only one shot shall be fired in the entry to two in the cross-cut at the same shooting time.

Not more than three shots shall be exploded at one shooting time ahead of the last open cross-cut.

(e) After the taking effect of this Act, the first cross-cut in the first room off any entry shall not be more than 50 feet from the rib of the entry, and the first cross-cut in the second room shall not be more than 80 feet from the rib of the entry, subsequently first cross-cuts in all the rooms shall be not more than 50 and 80 feet respectively from the rib of the entry. Additional cross-cuts shall not be more than 60 feet apart.

(f) All cross-cuts connecting inlet and outlet air courses, except the last one nearest the face, shall be closed with substantial stoppings to be made as nearly air-tight as possible. In the making of the air-tight partitions or stoppings, no loose material or refuse shall be used.

Cross-cuts between rooms, except the one nearest the face, shall be closed sufficiently to carry to the working places the amount of air required by law.

(g) When explosive gas in dangerous quantity is discovered in working places before the men go into the mine in the morning, such gas shall be removed by a special current of air produced by bratticing or from a pipe, before men are permitted to work in such places with other lights than safety lamps.

(h) If, in any mine, the conditions are such that in the judgment of the mine manager or the judgment of the State mine inspector expressed in writing, it is necessary to use safety lamps only in working said mine, other lights shall not be used therein.

(i) The air from the outlet of the stable shall not pass into the intake air current used for ventilating the working parts of the mine.

(j) All doors in mines, used in guiding and directing the ventilating currents shall be hung and adjusted so as to close automatically.

(k) At all doors through which three or more drivers are hauling coal on any one shift, an attendant shall be employed on said shaft [shift] for the purpose of opening and closing said doors when trips of cars are passing to and from the workings: *Provided*, the mine inspector in case of specially dangerous conditions, shall have power to require in writing that an attendant be placed at doors through which less than three drivers pass. Places for shelter shall be provided at such doorways to protect the attendants from being injured by the cars while attending to their duties; *Provided*, that in any or all mines, where doors are constructed in such a manner as to open and close automatically, attendants and places for shelter shall not be required.

(l) If the inspector shall find men working without the amount of air required by law, he shall at once notify the mine manager to increase the amount of air in accordance with the law. Upon the failure or refusal of the manager to act promptly, and in all cases where men are endangered by such lack of air, the inspector shall at once order the men affected out of the mine.

(m) In case the passageways, roadways or entries of any mine are so dry that the air becomes charged with dust, the operator of such mine must have such roadways regularly and thoroughly sprayed, sprinkled or cleaned.

§ 15. REFUGE PLACES—POWER HAULAGE ROADS. (a) On all single-track haulage roads, where hauling is done by machinery, which roads the persons employed in the mine must use while performing their work or travel on foot to and from their work, there shall be places of refuge on one side not less than 3 feet in depth from the side of the car, and not less than 4 feet long and 5 feet in height and not more than 60 feet apart. On rope-haulage roads, means of signaling shall be established between the haulage engineer and all points on the road. A conspicuous white light must be carried on the front, and a conspicuous red light or white signal board on the rear of every trip or train of pit cars moved by machinery.

REFUGE PLACES—MULE ROADS. (b) On all haulage roads on which the hauling is done by draft animals, whereon men are obliged to be in the performance of their duties or have to pass to and from their work,

there shall be places of refuge not less than  $2\frac{1}{2}$  feet in width from the side of the car, and not less than 4 feet long and 5 feet in height and not more than 60 feet apart.

**ROOM-NECKS AS REFUGE PLACES.** (c) Refuge places shall not be required in entries on which room-necks at regular intervals not exceeding 60 feet furnish the required refuge places.

**KEEPING REFUGE PLACES CLEAR.** (d) All places of refuge must be kept clear of obstructions and no material shall be stored nor be allowed to accumulate therein. They shall also be whitewashed not less than once in six months.

**GOB ON HAULAGE ROADS.** (e) One side of all haulage roads shall be kept clear of refuse or materials, except timbering, unless the rib or timbering on such side shall be  $2\frac{1}{2}$  feet or more from the rail, but in such case materials or refuse shall not be permitted within  $2\frac{1}{2}$  feet of the rail.

§ 16. **CARS.** When there is more than one link on either end of car, no swinging open-hook coupling shall be used on mine cars installed after this Act shall be in force.

Mine cars in use when this Act shall become in force and effect shall be made to comply with this provision within one year thereafter.

§ 17. **VOLTAGE.** (a) Trolley wires or other exposed electrical wires shall not carry a voltage above 275 volts.

**WIRES CROSSING HAULAGE WAYS.** (b) All trolley and positive feed wires crossing places where persons or animals are required to travel shall be safely guarded or protected from such persons or animals coming in contact therewith.

(c) All terminal ends of positive wires shall be guarded so as to prevent persons inadvertently coming in contact therewith.

§ 18. **OIL STANDARD.** (a) All illuminating oils used in coal mines shall conform to such specifications as shall be prescribed by the State Mining Board.

**BRANDS OF OIL.** (b) All oils sold or offered for sale to be used for illuminating purposes in coal mines shall be stamped or branded upon the original barrel or package in which said oil is furnished to the person, firm or corporation selling or furnishing such oil to show that such oil has been tested and found to conform to the specifications prescribed by the State Mining Board.

**PENALTY.** (c) Any person, firm or corporation, either by themselves, agents or employes, selling or offering to sell for illuminating purposes in any mine in this State any oil not complying with the specifications of the State Mining Board as suitable for illuminating purposes as contemplated in this Act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars, nor more than one hundred dollars for each offense; and any mine owner or operator or employé of such owner or operator who shall knowingly use, or any mine operator who shall knowingly permit to be used, for illuminating purposes in any mine in this State any oil



the use of which is forbidden by this Act, shall be guilty of a misdemeanor, and shall be fined not less than five dollars nor more than twenty-five dollars.

**SAMPLING AND TESTING.** (d) The State mine inspectors shall have authority to sample all oil used for illuminating purposes in the mines of this State, or kept on hand for use or for sale at such mines, and for such purpose they may enter upon the premises of any person. It shall be their duty to send to the State Mining Board to be tested a sample of any oil they have reason to suspect does not comply with the specifications of the State Mining Board in regard to illuminating oil for use in mines; and if the said sample of oil is found after suitable tests not to comply with the provisions of this Act, the person using said oil or selling or offering the same for sale, shall be prosecuted in accordance with the provisions of this Act.

§ 19. **AMOUNT OF POWDER KEPT IN MINE.** (a) No blasting powder, or other explosives, shall be stored in any coal mine, and no workman shall have at any time in the mine more than thirty-five pounds of black powder nor more than twenty-five pounds of permissible explosives, nor more than three pounds of other high explosives: *Provided*, that nothing in this section shall be construed to prevent the operator of any mine from taking into the mine, when miners are not therein, and in electrically equipped mines, while the current is turned off on roadways through which it is transported, a sufficient quantity of powder for the reasonable requirements of such mine for the next succeeding working day, but in the interim before such powder is delivered to the men, it shall be kept in a closed receptacle.

Explosives shall not be carried in the same car with tools or other materials.

**PLACE AND MANNER OF KEEPING IN THE MINE.** (b) Every person who has powder or other explosives in a mine shall keep the same in a wooden box, securely locked, with hinged lid, and said box shall be kept as far as practicable from the track; and all powder boxes shall be kept as far as practicable from each other and each in a secluded place. Black powder and high explosives or caps shall not be kept in the same box. Detonating explosives and detonators shall not be kept in the same box.

**MANNER OF HANDLING.** (c) Whenever a workman is about to open a box or keg containing powder or other explosive, and while handling the same, he shall place and keep his lamp at least five feet distant from said explosive, and in such position that the air current can not convey sparks to it, and no person shall approach nearer than five feet to any open box containing an open keg of powder or other explosive with a lighted lamp, lighted pipe or other thing containing fire. No miner, workman or other person shall open any receptacle containing an explosive except by the means of opening the same provided by the manufacturer thereof, and it shall be unlawful for any person to have in his possession in any mine any receptacle containing explosive which has been opened in violation of this Act.



**QUANTITY OF POWDER IN ONE CHARGE.** (*d*) The quantity of powder to be used in the preparation of shots shall not, in any case, exceed five (5) standard chargers full of powder in coal seams five and one-half ( $5\frac{1}{2}$ ) feet or over in thickness; and shall not, in any case, exceed four (4) standard chargers full of powder in coal seams under five and one-half ( $5\frac{1}{2}$ ) feet in thickness.

**STANDARD CHARGER.** (*e*) For the purpose of determining the quantity of powder to be used in the preparation of any given shot, a standard charger is defined and prescribed to be a cylindrical metallic charger not to exceed twelve (12) inches in length and not to exceed one and one-half ( $1\frac{1}{2}$ ) inches in diameter.

**DEAD HOLES.** (*f*) No person shall drill or shoot a dead hole as hereinafter defined. A "dead hole" is a hole where the width of the shot at the point measured at right angles to the line of the hole is so great that the heel is not of sufficient strength to at least balance the resistance at the point. The heel means that part of the shot which lies outside of the powder.

In solid shooting, the width of the shot at the point, in seams of coal 6 feet or less in height, shall not be greater than the height of the coal, and in seams or [of] coal more than 6 feet in thickness, the width of the shot at the point shall, in no case, be more than 6 feet.

In undercut coal, no hole shall be drilled "on the solid" for any part of its length.

**MIXED SHOTS.** (*g*) In no case shall more than one kind of explosive be used in the same drill hole.

**COPPER TOOLS.** (*h*) The needle used in preparing a blast shall be made of copper, and any metallic tamping-bar or scraper shall be tipped with at least five (5) inches of copper. A scraper shall not be used for tamping.

**TAMPING.** (*i*) Every blasting hole shall be tamped full from the explosive to the mouth of the hole, and no coal dust or any material that is inflammable or that may create a spark, whether the same shall be wet or dry, shall be used for tamping.

**USE OF SQUIBS.** (*j*) When a squib is used to fire a shot it shall be unlawful to shorten or oil the match of the squib or to ignite it except at the end.

**WARNING BEFORE FIRING.** (*k*) Before firing a shot, the person firing the same shall see that all persons are out of danger from the probable effects of such shot, and shall take measures to prevent any one approaching by shouting "fire" before lighting the same.

**NOT MORE THAN ONE SHOT AT A TIME.** (*l*) Not more than one shot shall be lighted at the same time in any working place unless the firing is done by electricity or by fuses of such length that the interval between the explosions of any two shots shall be not less than one minute, and in no case shall any shot or shots be fired or lighted which are termed depending or dependent shots, until after the expiration of ten minutes from the successful firing of the relieving shot or shots. When successive

shots are to be fired in any working place in which the roof is broken or faulty, the smoke shall be allowed to clear away and the roof examined and made secure between shots.

**MISSED SHOTS.** (m) No person shall return to a missed shot, if lighted with a squib, until five (5) minutes have elapsed from the time of lighting the same, or, if lighted with fuse, until the following day; and no person shall return to a missed shot when the firing is done by electricity unless the wires are disconnected from the battery.

(n) No missed shot shall be withdrawn excepting by the use of copper-tipped or wooden tools.

§ 20. (a) It shall be the duty of the mine manager:

1. To visit each working place in the mine at least once in two weeks
2. To provide a suitable checking system whereby the entrance into and departure from the mine of each employé shall be indicated.

3. To have the underground workings of the mine examined by a certificated mine examiner within twelve hours preceding every day upon which the mine is to be operated. Such a mine examiner shall make the examination as provided in this Act, and he shall enter his report thereof before the men are permitted to enter the mine in the morning in a book provided for that purpose, which book shall be kept in some convenient place on top, but not in the engine room or office, for the information of the inspector and other persons interested therein.

4. To examine the mine examiner's report in the morning, and if the working places are reported dangerous, he shall withhold the entrance checks of men working in such places until he has advised such men of the danger and instructed them not to work in such places until the reported danger has been removed, except for the purpose of removing same.

5. When there is to be a night shift mining coal, the mine manager shall require the places in which such night shift are expected to work to be examined for gas, or falls or dangerous roof, by the person in charge of such night shift or some competent person duly authorized by him before the men enter such places for work. The night shift may go into the mine while the night examiner is in the mine, excepting in mines where marsh gas has been detected in dangerous quantities, provided they do not go into the working places until the required examination is made.

Certificated mine examiners shall not be required for the examination preceding the night shift, excepting in mines where marsh gas is detected in dangerous quantities. The night examiner, or examiners, shall make a record of their examination in a special book kept for that purpose, which shall be kept in some convenient place on top when not in use by the examiner.

6. He shall provide a sufficient number of props, caps and timbers, when demanded, delivered on the miners' cars at the usual place, in suitable lengths and dimensions for the securing of the roof by the miners.

7. He shall see that the cross-cuts are made at proper distances apart, and that the necessary doors, curtains, and brattices are provided

to secure the men in the mine the volume of air required by this Act, or by the written demands of the mine inspector; also, that all stoppings along air-ways are properly and promptly built.

8. He shall keep careful watch over all ventilating apparatus and the air currents in the mine, and in case of accident to fan or machinery by which the air currents are stopped or materially obstructed, he shall at once order the withdrawal of the men from the mine and prohibit their return until the required ventilation has been re-established.

9. He shall measure the air current or cause of [the] same to be measured at least once each week at the inlet and outlet, and shall keep a record of such measurements for the information of the mine inspector.

10. He or his assistant shall, at least once a week, examine the roadways leading to the escapement shaft or other openings for the safe exit of men to the surface; and shall make a record of any obstructions to travel he may encounter therein, together with the date of their removal.

11. He shall examine or designate a competent person to examine the hoisting ropes, cages and safety catches every morning, and shall require the ropes to be tested by hoisting the cages before the men are lowered.

12. He must see that the top man and bottom man are on duty and that sufficient lights are maintained at the top and bottom landings when the miners are being hoisted and lowered.

13. The mine manager or his assistant shall be at his post at the mine when the men are lowered into the mine in the morning for work, and shall remain at night until all the men employed during the day shall have been hoisted out.

14. He shall give special attention to and instructions concerning the proper storage and handling of explosives in the mines.

15. He shall see that all dusty haulage roads are thoroughly sprinkled at regular intervals designated by the mine inspector.

(b) The mine manager shall have power:

1. To instruct employes as to their respective duties and to require of all employes obedience to the provisions of the mining law.

2. To prescribe special rules concerning the proper storage and handling of explosives in the mine and concerning the time and manner of placing and discharging the blasting shots, and it shall be unlawful for any miner to fire shots except according to such rules.

3. In mines in which the works are so extensive that all the duties devolving upon the mine manager cannot be discharged by one man, competent persons may be designated and appointed as assistants to the mine manager, who shall exercise his functions under the mine managers' instructions.

§ 21. CERTIFICATED MINE EXAMINERS. (a) A certificated mine examiner shall be required at all coal mines. There shall be one or more additional certificated mine examiners whenever required in writing by the State mine inspectors when the conditions are such as to make the employment of such additional mine examiners necessary.

(b) It shall be the duty of the mine examiner:



1. To examine the underground workings of the mine within twelve hours preceding every day upon which the mine is to be operated.

2. When in the performance of his duties, to carry with him a safety lamp in proper order and condition and a rod or bar for sounding the roof.

3. To see that the air current is traveling in its proper course and in proper quantity; and to measure with an anemometer the amount of air passing in the last cross-cut or break-through of each pair of entries, or in the last room of each division in long-wall mines, and at all other points where he may deem it necessary; and to note the results of such measurements in the mine examiner's book kept for that purpose.

4. To inspect all places where men are required in the performance of their duties to pass or to work, and to observe whether there are any recent falls or dangerous roof or accumulations of gas or dangerous obstructions in rooms or roadways; and to examine especially the edges and accessible parts of recent falls and old gobs and air-courses.

5. As evidence of his examination of said rooms and roadways, to inscribe in some suitable place on the walls of each, not on the face of the coal, with chalk, the month and the day of the month of his visit.

6. When working places are discovered in which there are recent falls or dangerous roof or dangerous obstruction, to place a conspicuous mark or sign thereat as notice to all men to keep out; and in case of accumulation of gas, to place at least two conspicuous obstructions across the roadway not less than twenty feet apart, one of which shall be outside the last open cross-cut.

7. Upon completing his examination, to make a daily record of the same in a book kept for that purpose, for the information of the company, the inspector and all other persons interested; and this record shall be made each morning before the miners are permitted to enter the mine.

8. To take into his possession the entrance checks of all men whose working places have been shown by his examination and record to be dangerous, and to give such entrance checks to the mine manager before the men are permitted to enter the mine in the morning.

§ 22. It shall be the duty of the hoisting engineer:

1. To be in constant attendance at his engine or boilers at all times when there are workmen underground. Whenever it is the duty of the engineer to attend to the boilers, means for signaling from the shaft bottom to the boiler-room shall be provided.

2. He shall not permit any one except persons duly authorized to enter the engineroom, and he shall hold no communication with any officer of the company or other person while the engine is in motion or while his attention is occupied with the signals.

3. The engineer or some other properly authorized employé shall:

(a) Keep a careful watch over the engines, boilers, pumps, ropes and winding apparatus under his jurisdiction.

(b) See that the boilers under his care are properly supplied with water, cleaned and inspected at frequent intervals.



(c) See that the steam pressure does not exceed the limit established by the boiler inspector, and frequently try the try cocks and the safety valves and shall not increase the weights on the same.

(d) See that the steam and water gauges are kept in good order, and if any of the pumps, valves or gauges become deranged or fail to act, promptly report the fact to the proper authority.

4. He shall thoroughly understand the established code of signals, and when he has the signal that men are on the cage, he must operate his engine at not to exceed the rate of speed permitted by this Act.

5. He shall permit no one to handle, except in the discharge of duty, or meddle with any machinery under his charge or suffer any one who is not a certificated engineer to operate his engine except for the purpose of learning to operate it, and then only in the presence of the engineer in charge and when men are not on the cage.

§ 23. SPECIAL RULES. (a) It shall be unlawful for any person knowingly or negligently:

1. To injure or tamper with any appliance or machinery.

2. To carry an open light, pipe or fire in any form into any place worked by the light of safety lamps, or within five feet of an open package of explosive.

3. To open any locked safety lamp without permission from the proper authority.

4. To handle or disturb any part of the hoisting machinery without proper authority.

5. To obstruct or cause any obstruction in any air current or to leave open any door or other means provided to control the air current or to perform any act that will interfere with the ventilating current of the mine without permission to do the same from the mine manager.

6. To deface, pull down or destroy any notice board, danger signal, special rule or record book.

(b) No person shall be permitted to or shall enter work in or about a mine or mine buildings, tracks or machinery connected therewith while under the influence of intoxicants.

(c) Every miner shall sound and thoroughly examine the roof of his working place before commencing work, and if he finds loose rock or other dangerous conditions, he shall not work in such dangerous place except to make such dangerous conditions safe. It shall be the duty of the miner to properly prop and secure his place for his own safety with materials provided therefor.

(d) It shall be the duty of every operator to post at some conspicuous point at the entrance to the mine, in such manner that the employés of the mine can read them, rules not inconsistent with this Act, plainly printed in the English language, which shall govern all persons working in the mine. And the posting of such notice, as provided, shall charge all employés of such mine with legal notice of the contents thereof.

(e) It shall be unlawful for any person to disobey any order given in pursuance of this Act, or to enter any place against a danger signal

without permission from the mine manager, or to do any wilful act whereby the lives or health of persons working in mines or the security of the mine or the machinery thereof are endangered.

(f) No mine employé shall enter or leave a mine without indicating the fact of entering or leaving said mine by some suitable checking system provided by and under the control of the mine manager.

(g) No person, except the persons necessary to operate the trip or car, shall ride on any loaded car or on the outside of any car, or get on or off a car while in motion.

(h) It shall be unlawful to change, exchange, substitute, alter or remove any number or check or other device or sign used to indicate or identify the person or persons to whom credit or pay is due for the mining of coal in any car or appliance containing the same, with intent to cheat or defraud any other person of the value of his services for mining the coal contained in such car or appliance; and it shall be unlawful for a person with intent to cheat or defraud any other to place any number, check or other device or sign upon any car or other appliance loaded by any other person in or about the mine. Any violation of this provision shall be deemed a larceny, and upon conviction thereof shall be punishable as provided in the general statutes of Illinois with respect to larceny.

§ 24. TEN-FOOT LIMIT. (a) In no case shall the workings of any mine be driven nearer than 10 feet to the boundary line of the coal rights pertaining to said mine, except for the purpose of establishing an underground communication between contiguous mines, as provided for elsewhere in this Act, or except by mutual agreement in writing between the adjoining owners.

· APPROACHING ABANDONED WORKINGS. (b) Whenever any working place approaches within 50 feet of abandoned workings of which there is a map prepared as required by law and which may contain dangerous accumulations of water or of gas, the operator of said mine shall advance by workings not more than 20 feet wide and maintain in advance of the face a bore hole not less than 10 feet in depth and one hole in each rib of the working place, 10 feet in depth, which side holes shall be drilled so as to make an angle of not less than forty-five degrees with the direction of the rib. If there is not a map of the abandoned workings, the holes heretofore provided for shall be drilled when the new workings are within 100 feet of where the old workings are supposed to be.

§ 25. DUTY OF INSPECTOR. (a) Any loss of life or personal injury in or about any coal mine shall be reported without delay by the person having charge of said mine to the State Mine Inspector of the district in which the mine is located, and the said inspector, in case of injury, if he deem necessary from the facts reported, and in all cases of loss of life, shall go immediately to the scene of said accident and render every possible assistance to those in need.

Every operator of a coal mine shall make or cause to be made and preserve for the information of the State Mine Inspector, upon uniform

blanks furnished by said inspector, a record of all deaths and all injuries sustained by any of his employés in the pursuance of their regular occupations.

**CORONER'S INQUEST.** (b) If any person is killed in or about a mine, the operator shall also notify the coroner of the county, or in his absence or inability to act, any justice of the peace of said county, who shall hold an inquest concerning the cause of such death. The State Mine Inspector may question or cross-question any witness testifying at the inquest.

**INVESTIGATION BY INSPECTION.** (c) The State Mine Inspector shall make a personal investigation as to the nature and cause of all serious accidents within his jurisdiction. He shall make a record of the circumstances attending the same, as developed by the coroner's inquest and his own personal investigation, which record shall be preserved in the files of his office, and a copy thereof filed with the State Mining Board. To enable him to make such investigation he shall have power to compel the attendance of witnesses and to administer oaths or affirmations to them, and the cost of such investigations shall be paid by the county in which such accident has occurred, in the same manner as the costs of coroner's inquests are paid.

§ 26. **STRETCHERS AND BLANKETS.** At every mine, it shall be the duty of the operator thereof to keep always on hand, and at some readily accessible place, a properly constructed stretcher, a woolen and waterproof blanket, and a roll of bandages in good condition and ready for immediate use for binding, covering and carrying any one who may be injured at the mine. When 100 or more men are employed at any mine, two stretchers and two woolen and two waterproof blankets, with a corresponding number of bandages, shall be provided and kept on hand. At mines where fire-damp is generated, there shall also be provided and kept in store a suitable supply of linseed or olive oil, for use in case where men are burned by an explosion.

§ 27. **SCALES.** (a) The operator of every coal mine where miners are paid by the weight of their output, shall provide at such mine suitable and accurate scales for the weighing of such coal, and a correct record shall be kept of all coal so weighed, and said record shall be open at all reasonable hours to the inspection of miners and others interested in the product of said mine.

**WEIGHMAN.** (b) The person authorized to weigh the coal and keep the record as aforesaid shall, before entering upon his duties, make and subscribe to an oath before some person duly authorized to administer oaths, that he will accurately weigh and carefully keep a true record of all coal weighed, and such affidavit shall be kept conspicuously posted at the place of weighing.

**CHECK WEIGHMAN.** (c) The miners at work in any coal mine may employ a check weighman at their option and at their own expense, whose duty it shall be to balance the scales and see that the coal is properly weighed, and that a correct account of the same is kept, and for this purpose he shall have access at all times to the beam box of said scales,



and be afforded every facility for verifying the weights while the weighing is being done. The check weighman so employed by the miners, before entering upon his duties, shall make and subscribe to an oath before some person duly authorized to administer oaths, that he will faithfully discharge his duties as check weighman, and such oath shall be kept conspicuously posted at the place of weighing.

§ 28. BOYS AND WOMEN. No boy under the age of sixteen years, and no woman or girl of any age, shall be permitted to do any manual labor in or about any mine, and before any boy can be permitted to work in any mine he must produce to the mine manager or operator thereof an affidavit from his parent or guardian or next of kin, sworn and subscribed to before a justice of the peace or notary public, that he, the said boy, is sixteen years of age.

The parent, guardian or next of kin shall submit in connection with said affidavit, a certificate of birth, a baptismal certificate, a passport or other official or religious record of the boy's age or duly attested transcript thereof, which certificate or transcript thereof shall, for the purposes of this Act, establish the age of said boy.

Any person swearing falsely in regard to the age of a boy shall be guilty of perjury, and shall be punished as provided in the general statutes of the State pertaining to perjury.

§ 29. PENALTIES. (a) Any wilful neglect, refusal or failure to do the things required to be done by any section, clause or provision of this Act, on the part of the person or persons herein required to do them, or any violation of any of the provisions or requirements hereof, or any attempt to obstruct or interfere with any inspector in the discharge of the duties herein imposed upon him, or any refusal to comply with the instructions of an inspector given by authority of this Act shall be deemed a misdemeanor punishable by a fine not exceeding five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, or both, at the discretion of the court: *Provided*, that in addition to the above penalties, in case of the failure of any operator to comply with the provisions of this Act in relation to the sinking of escapement shafts and the ventilation of mines, the State's attorney for the county in which such failure occurs, or any other attorney, in case of his neglect to act promptly, shall proceed against such operator by injunction without bond, to restrain him from continuing to operate such mine until all legal requirements shall have been fully complied with.

(b) Any inspector who shall discover that any section of this Act, or part thereof, is being neglected or violated, shall order immediate compliance therewith, and, in case of continued failure to comply, shall have power to stop the operation of the mine, or remove any offending person or persons from the mine until the law is complied with.

(c) For any injury to person or property, occasioned by any wilful violation of this Act, or wilful failure to comply with any of its provisions, a right of action shall accrue to the party injured, for any direct



damages sustained thereby; and in case of loss of life by reason of such wilful violation or wilful failure as aforesaid, a right of action shall accrue to the personal representatives of the person so killed for the exclusive benefit of the widow and next of kin of such person and to any other person or persons who were, before such loss of life, dependent for support on the person or persons so killed, for a like recovery of damages for the injuries sustained by reason of such loss of life or lives not to exceed the sum of ten thousand dollars: *Provided*, that every such action for damages in case of death shall be commenced within one year after the death of such person: *And, provided, further*, that the amount recovered by the personal representative of the person so killed shall be distributed to the widow and next of kin of such person in the proportion provided by law in relation to the distribution of personal property left by persons dying intestate: *Provided*, that if and whenever there shall be in force in this State, a statute or statutes providing for compensation to workmen for all injuries received in the course of their employment, the provisions thereof shall apply in lieu of the right of action for damages provided in this Act.

§ 30. DEFINITION OF TERMS—MINE. (a) Where used in this Act, the words "mine" and "coal mine" are intended to signify any and all parts of the property of a mining plant, on the surface or underground, which contribute, directly or indirectly, under one management, to the mining or handling of coal.

EXCAVATION OR WORKINGS. (b) The words "excavation" and "workings" signify any or all parts of a mine excavated or being excavated, including shafts, slopes, tunnels, entries, rooms and working places whether abandoned or in use.

SHAFT. (c) The term "shaft" means any vertical opening through the strata which is or may be used for purposes of ventilation or escape-ment, or for the hoisting or lowering of men and material in connection with the mining of coal.

SLOPE. (d) The term "slope" means any inclined way in or to a seam of coal to be used for the same purposes as a shaft.

DRIFT. (e) The term "drift" means any practically horizontal way in or to a seam of coal to be used for the same purpose as a shaft.

OPERATOR. (f) The term "operator" as applied to the party in control of a mine in this Act, signifies the person, firm or body corporate who is the immediate proprietor as owner or lessee of the plant, and, as such, responsible for the condition and management thereof.

MINE MANAGER. (g) The "mine manager" is the person who is charged with the general direction of the underground work.

MINE EXAMINER. (i) The "mine examiner" is the person charged with the examination of the underground workings of the mine before the miners are permitted to enter it in the morning.

§ 31. That an Act entitled, "An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein, approved April 18, 1899, and in force July 1, 1899," with amendments to July 1, 1910; also

An Act entitled, "An Act to prohibit the use of certain oils in coal mines and penalties for infraction of same," approved April 30, 1895, in force July 1, 1895; also

An Act entitled, "An Act concerning the use of powder in coal mines," approved and in force May 14, 1903, as amended by an Act approved May 24, 1907, in force July 1, 1907; also

An Act entitled, "An Act to provide for the weighing of coal at the mines, and to repeal a certain Act therein named," approved June 17, 1887, in force July 1, 1887, be and each of said Acts is hereby repealed.

APPROVED June 6, 1911.

#### FIRE APPARATUS—ACT OF 1910 AMENDED.

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| <p>§ 1. Amends sections 2, 4, 5, 6 and 7, Act of 1910.</p> <p>§ 2. Water supply—pipe and hose connections—automatic sprinklers—barrels and pails—fire extinguishers.</p> <p>§ 4. Underground stables—construction—hay, bedding and feed—light.</p> | <p>§ 5. Telephones—fire drill.</p> <p>§ 6. Coal mines developed hereafter—exemptions.</p> <p>§ 7. Offenses and penalties—inspection—reports.</p> <p>[§2.] § 8. Emergency.</p> |
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(HOUSE BILL NO. 547. APPROVED JUNE 7, 1911.)

AN ACT to amend sections 2, 4, 5, 6 and 7 of an Act entitled, "An Act to require fire fighting equipment and other means for the prevention and controlling of fires and the prevention of loss of life from fires in coal mines," approved March 8, 1910, in force March 8, 1910.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 2, 4, 5, 6 and 7 of an Act entitled, "An Act to require fire fighting equipment and other means for the prevention and controlling of fires and the prevention of loss of life from fires in coal mines," approved March 8, 1910, in force March 8, 1910; be and the same are amended to read as follows:

§ 2. (a) There shall be provided a supply of water for fighting fire underground which shall have a head from a standing body in a pipe, tank or pond.

(b) Such water supply shall be conducted into the mine in an iron or steel pipe or pipes not less than two inches in diameter, which shall have not less than two hose connections at the bottom of the hoisting shaft, and two hose connections at the bottom of the air and escapement shaft designated as such under the law, and two hose connections in each stable which is located less than five hundred (500) feet from the bottom of either of said shafts; and there shall be iron or steel pipes not less than two inches in diameter in the entries and passageways leading from the bottom of each of said shafts to such extent and in such position that with one (1) fifty foot length of hose the water may be carried into all such entries and passage ways within three hundred (300)

feet from the bottom of each of said shafts and into the corresponding area in slope and drift mines such area to be designated in this Act as the fire protected area.

(c) *Provided*, that in mines having one hundred and twenty-five (125) feet or less head at the bottom of the incoming supply pipe, the incoming pipes and the pipes having hose connections shall be not less than three (3) inches in diameter. The pipes in the mine shall have hose connections not more than fifty (50) feet apart beginning at the bottom of the incoming supply pipe or pipes.

(d) There shall be kept constantly on hand at the bottom of each shaft where hose connections are required, in condition for immediate use, not less than two (2) fifty (50) foot lengths of one and one-half ( $1\frac{1}{2}$ ) inch inside diameter linen hose or rubber-lined cotton hose, which shall have been tested to a pressure of two hundred (200) pounds to the square inch; all of such hose and the connections therefor on the supply pipes shall have American Standard iron pipe threads. The nozzles on such [hose] shall be not less than three-eighths ( $\frac{3}{8}$ ) nor more than five-eighths ( $\frac{5}{8}$ ) inch in diameter.

(e) Where any part of any passageway or other excavation within one hundred and fifty (150) feet of the bottom of the hoisting shaft or the air and escapement shaft designated as such under the law and in the corresponding area in slope or drift mines, is timbered, with cribbing or more than one layer of lagging not including caps or wedges, above the cross bars, there shall be two lines of automatic sprinklers on the under side of such timbering, attached to not less than one and one-half ( $1\frac{1}{2}$ ) inch pipes connected with the fire fighting water supply, and such sprinklers shall not be more than ten (10) feet apart.

(f) In cribbing or lagging as last aforesaid, which is more than three (3) feet in vertical thickness, there shall be also, as near the top thereof as is practicable, automatic sprinklers connected with the water supply as last aforesaid and there shall be one such sprinkler for each eight (8) feet square of horizontal area of such cribbing or lagging.

(g) In every underground stable, located within one thousand (1,000) feet of the hoisting shaft or the air and escapement shaft designated as such under the law, there shall be not less than one (1) automatic water sprinkler for each area eight (8) feet square in said stable; such automatic sprinklers shall be connected with iron or steel pipes not less than one and one-half ( $1\frac{1}{2}$ ) inches in diameter along the roof or ceiling in the stable, which shall be connected with the fire fighting water supply.

(h) All automatic sprinklers shall be of the fusible plug type and shall not require a temperature of more than one hundred and sixty-five (165) degrees Fahrenheit to release the water.

(i) In all underground stables other than those heretofore in this Act referred to, there shall be kept barrels full of water and two metal pails with each barrel. Such barrels shall be not more than fifty (50) feet apart, and there shall be not less than two (2) barrels full of water



and two (2) metal pails with each barrel in each entry or passageway into which such stable opens and not more than fifty (50) feet from the opening of the stable.

(j) There shall also be one (1) not less than three (3) gallon chemical fire extinguishers and two (2) not less than six (6) gallon hand-pump buckets in each stable and in each entry or passageway into which such stable opens not more than fifty (50) feet from the opening of such stable: *Provided*, that in mines employing ten (10) men or less underground, the chemical fire extinguishers shall not be required. Such chemical fire extinguishers and hand-pump buckets shall be kept filled and ready for use.

(k) *Provided, however*, that in coal mines in which less than ten (10) men are employed, in which there are no stables, in lieu of said water supply with pipes and hose, there may be substituted the following: There shall be kept within the fire protected area in each such mine, barrels full of water not more than fifty (50) feet apart, and with each barrel there shall be two metal buckets; and there shall also be kept within said area not less than six (6) hand-pump buckets of not less than six (6) gallons capacity, and said buckets shall be kept filled and ready for use.

(l) A barrel within the meaning of this Act shall be any substantial vessel holding not less than fifty (50) gallons.

(m) All mines shall have at least one, not less than three (3) gallon chemical fire extinguisher, and one not less than six (6) gallon hand-pump bucket, including those hereinbefore in this Act required, for each fifty (50) employes in the mine with a minimum of six (6) extinguishers and six (6) pump buckets, kept at convenient places designated by the mine manager throughout the mine, and such extinguishers and buckets shall be kept filled and ready for use: *Provided*, that in mines employing ten (10) men or less underground, the chemical fire extinguishers shall not be required.

§ 4. (a) No underground stable, unless so constructed as to be fireproof throughout, shall be nearer than six (6) yards to any regular traveling way, and every underground stable shall have at each opening a fireproof door with a door frame of concrete, stone or brick laid in mortar.

(b) Every such stable, which contains more than ten (10) stalls, shall have a cement or brick partition, with a fireproof door therein, for each ten (10) stalls or less; or, in lieu of said partition, the stable shall be lined with cement plaster on wire lathing or other fireproof material, where inflammable material is exposed.

(c) All hay, bedding and feed underground, except that in the man-agers and stalls, shall be kept in a closed cement, brick, stone or metal receptacle; and not more than forty-eight (48) hours' supply of hay or bedding shall be kept underground, and not more than one week's supply of grain.



(d) All hay and bedding taken into the mine shall be baled. Hay, bedding and feed shall be taken into the mine only in a closed car or box, which shall be kept closed until the materials are removed to the receptacles provided therefor.

(e) No light with an unprotected flame shall be taken into an underground stable by any person.

§ 5. (a) There shall be a system of party line telephones which shall include one telephone on the surface not more than two hundred (200) feet from the tippie, and one at the bottom of the hoisting shaft, or, in slope or drift mines at the first cross entries in operation; and, in addition thereto, there shall be one telephone at each inside parting. Telephone lines shall be constructed in a workmanlike manner and shall be repaired promptly when necessary.

(b) On becoming aware of any serious danger requiring the inside employes to come out of the mine, it shall be the duty of the person having charge of the outside or inside telephone immediately to give notice of the danger to the other telephone stations; and it shall be the duty of all persons who receive information thereof to coöperate in giving notice thereof to all other persons in the mine. It shall be the special duty of all drivers, motormen and trip riders to notify all other drivers, motormen, trip riders or miners from whom they haul coal, of any danger requiring them to leave the mine.

(c) Certain employes whose regular work is in or near the fire protected areas shall have graded authority and designated duties in case of fire; and rules and instructions therefor shall be included in the regular rules of the mine, and such employes shall be instructed therein by the mine manager.

(d) There shall be a fire drill of such employes not less often than once in two weeks, and the pipes, connections and hose shall be tested at such drills.

§ 6. The following requirements also shall apply to all coal mines developed within the State of Illinois after the passage of this Act: *Provided*, that paragraph[s] (a) and (b) shall not apply to mines where ten (10) men or less are employed.

(a) The hoisting shaft and the air and escapement shaft designated as such under the law in shaft mines and the air and escapement shaft nearest the main opening in slope or drift mines, shall be of fireproof construction, except that cage guides may be wood: *Provided*, that this section shall not apply to shafts in actual course of construction at the time this Act takes effect.

(b) The roof and walls of the passageways leading from the bottom of the hoisting shaft and the air and escapement shaft designated as such under the law, within a distance of three hundred (300) feet from the bottom of either of said shafts, shall be of fireproof construction, except that the coal rib or pillar may be used as a wall in such passageways.

(c) All underground stables and the openings therein shall be of fireproof construction.

(d) At mines constructed in conformity with the requirements of this section of this Act, the fire fighting equipment described in section 2, and the fire drill described in section 5 of this Act shall not be required, except that there shall be kept at convenient places designated by the mine manager, throughout each mine, one not less than three (3) gallon chemical fire extinguisher and one not less than six (6) gallon hand-pump bucket, for each fifty (50) employes in the mine with a minimum of six (6) extinguishers and six (6) pump buckets, and such extinguishers and buckets shall be kept filled and ready for use: *Provided*, that in mines employing ten (10) men or less underground, the chemical fire extinguishers shall not be required.

§ 7. (a) Any wilful neglect, refusal or failure to obey the requirements or provisions of this Act, or wilfully giving a false danger signal or tampering with any of the appliances required by the provisions of this Act, shall be deemed a misdemeanor, punishable by a fine of not less than fifty dollars (\$50) and not to exceed two hundred dollars (\$200), or by imprisonment in the county jail for a period not exceeding three (3) months, or both, in the discretion of the court.

(b) Upon final conviction of any mine manager or any miner, under the provisions of this Act, his certificate of competency shall be thereby invalidated; and it shall be the duty of the State Mining Board in the case of a mine manager of the miners' examining board which shall have issued such certificate in the case of a miner, to cancel and revoke the certificate of competency of the person so convicted; and such person shall not be entitled to receive another certificate of competency within three (3) months from the date of such cancellation and revocation.

(c) If any State Mine Inspector, or any county mine inspector shall find that any provision of this Act is being violated, it shall be his duty to file a sworn complaint before any court of competent jurisdiction, stating the facts within his knowledge in such case and asking that the person charged with such violation be bound over to the next grand jury for said county; and it shall be the duty of the State's attorney for the county in which such violation occurs to prosecute such complaint as provided by law in other State cases.

Each county mine inspector shall report at least once a month to the State Mine Inspector for the district in which said county [mine inspector] is working, stating the mines he has examined, the violations of this Act which he has discovered and the complaints he has filed under the provisions of this Act.

(d) If the county mine inspector shall fail to file a complaint, as herein required, of a violation of this Act which he shall have reported to the State Mine Inspector, and in all other cases of violation of this Act which shall have come to the knowledge of a State Mine Inspector in the discharge of his duties it shall be the duty of such State Mine Inspector to file a sworn complaint before any court of competent jurisdiction, stating the facts reported to him by the county mine inspector, or coming to his knowledge in the discharge of his duties, and asking that

the person charged with such violation be bound over to the next grand jury for said county; and it shall be the duty of the State's attorney for the county in which such violation occurs to prosecute such complaint as provided by law in other State cases.

(e) If any State Mine Inspector or any county mine inspector shall wilfully fail, neglect or refuse to file a complaint as herein required, or shall wilfully disregard the duties required of him by the provisions of this Act, a sworn complaint may be filed by any person having knowledge of the facts, before any court of competent jurisdiction, charging said county mine inspector or said State Mine Inspector, as the case may be, with nonfeasance in office and asking that such inspector be bound over to the next grand jury for said county, and the State's attorney for the county in which such violation occurs shall prosecute such complaint as provided by law in other State cases.

Upon final conviction for nonfeasance in office under the provisions of this Act, of any State Mine Inspector or any county mine inspector, his certificate of qualification or of competency, as the case may be, shall be thereby invalidated and he shall become disqualified from holding such office, and such person shall not be entitled to receive another certificate of qualification or of competency, as the case may be, within three (3) months from the date of such final conviction.

[§ 2.] § 8. WHEREAS, An emergency exists, therefore, this Act shall be in force and effect from and after its passage.

APPROVED June 7, 1911.

#### FIRE FIGHTING AND RESCUE STATIONS—ACT OF 1910 AMENDED.

§ 1 Amends sections 2, 5 and 9, Act of 1910.

§ 2. Appointment of commission — composition — organization — compensation.

§ 5. As amended, provides for temporary assistance, etc.

§ 9. As amended, provides for biennial report and printing.

§ 2. Title amended.

(SENATE BILL No. 420. APPROVED JUNE 5, 1911.)

AN ACT to amend sections 2, 5 and 9 of an Act entitled, "*An Act to establish and maintain in the coal fields of Illinois, mine fire fighting and rescue stations, and to make an appropriation therefor,*" approved March 4, 1910, in force July 1, 1910, and by amending the title of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 2, 5 and 9 of an Act entitled, "*An Act to establish and maintain in the coal fields of Illinois, mine fire fighting and rescue stations, and to make an appropriation therefor,*" approved March 4, 1910, in force July 1, 1910, and the title thereto be and the same are hereby amended to read as follows:

§ 2. The Governor shall appoint a commission, consisting of seven members, including two coal mine operators, two coal miners, one State

mine inspector, one representative of the department of mining at the University of Illinois, and one representative of the Federal Bureau of Mines. Said commission shall, within ten days after their appointment, meet and organize by electing one of their number chairman and another secretary of said commission, who shall hold their respective offices for a period of one year from the date of their election and until their successors are elected and qualified. Members of the said commission shall receive ten dollars (\$10.00) per day for services rendered, not to exceed twenty-five (25) days during any one year, and all members of said commission shall be reimbursed for actual expenses while engaged in official work, approved by the commission; which commission shall be responsible for the proper carrying out of the provisions of this Act.

§ 5. The said commission shall appoint as manager of three stations and of their work, a man experienced in mining and mine engineering. The manager shall, with the advice and consent of the said commission, appoint for each station a superintendent and an assistant. Each appointee shall serve for a term of two years and until his successor is appointed and qualified, unless sooner discharged by the said commission. Each appointee before entering upon the duties of his office shall take and subscribe to the oath of office as provided by law. The manager shall with the advice and consent of the commission, have authority to pay for such temporary assistance as may be needed in giving instruction in first aid to the injured and similar technical subjects, and such other temporary assistants and porters as may be needed from time to time to properly carry on the work of said rescue stations and such rescue cars as may be installed in connection with said stations, but not more than one extra assistant and one porter shall be employed for each rescue car.

§ 9. The commission shall prepare a biennial report to the Governor and the General Assembly with necessary illustrations showing the work performed and money expended by the mine rescue service; and the State Board of Contracts is hereby directed to print and bind said reports promptly, and to provide all necessary printing for the Mine Rescue Commission out of the appropriations for such board of contracts.

§ 2. The title of said Act shall be amended to read as follows:

An Act to establish and maintain in the coal fields of Illinois mine fire fighting and rescue stations.

APPROVED June 5, 1911.



## OIL AND GAS WELLS.

§ 1. Amends Act of 1905.	§ 4. Affidavit filed with recorder.
§ 1. Distance of well from mine opening.	§ 5. Provides for casing.
§ 2. Statement and map of well through coal seam.	§ 6. Violations—penalties.
§ 3. Abandoned well—treatment prescribed.	[§2.] § 7. Emergency.

(HOUSE BILL NO. 546. APPROVED JUNE 7, 1911.)

AN ACT to amend an Act entitled, "An Act in relation to sinking, filling and operating of oil or gas wells," approved and in force May 16, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act in relation to sinking, filling and operating of oil or gas wells," approved and in force May 16, 1905, be and the same is hereby amended to read as follows:

§ 1. No oil or gas well shall be drilled hereafter nearer than 250 feet to any opening to a mine used as a means of ingress or egress for the persons employed therein or which is used as an air shaft.

§ 2. It shall be the duty of any person, firm or corporation having the custody or control of any well drilled for gas or oil, and of the owner of the land in which such well is drilled, when the drill hole penetrates a coal seam, to file in the office of the recorder of the county in which said oil or gas well is drilled, and in the office of the State Mining Board, within fifteen days after completing said well, a statement and map giving the location and depth of every well so drilled and the county recorder shall file and enter and index same in the records of his office relating to the titles to real property.

§ 3. Before the casing shall be drawn from any well for the purpose of abandonment thereof, which has been drilled into any gas or oil bearing rock, it shall be the duty of any person, firm or corporation having the custody or control of such well at the time of such abandonment, and also the owner or owners of the land wherein such well is situated, to properly and securely stop and plug the same in the following manner: Such hole first be solidly filled from the bottom thereof to a point at least twenty feet above such gas or oil bearing rock with sand, gravel or pulverized rock, immediately on the top of which filling shall be seated a dry wood plug not less than two feet in length, having a diameter of not less than one-fourth of an inch less than the inside diameter of the casing in such well. And above such wooden plug such well shall be solidly filled for at least twenty-five feet with the above-mentioned filling material, immediately above which shall be seated another wood plug of the same kind and size as above provided, and such well shall again be solidly filled for at least twenty-five feet above such plug with such filling material. After the casing has been drawn from such well there shall immediately be seated at the point where such casing was seated a cast-iron ball or tampered wood plug at least two feet in length,

the diameter of which ball or the top of which wood plug shall be greater than that of the hole below the point where such casing was seated, and above such ball or plug such well shall be solidly filled to top of well with the aforesaid material.

§ 4. The person, firm or corporation owning or having control or custody of any such well, or the land in which any such well is situated, shall file or cause to be filed in the office of the recorder of the county in which any such well is located, within fifteen days after the same has been plugged, as provided in section 3, the affidavit of at least two persons who were present during the plugging of such well, which affidavit shall be recorded in the record books in the office of the recorder of such county, and shall set out in detail the manner in which such well was plugged and the depth of each such wood plugs and iron ball below the surface of the ground, and the record of such affidavit shall be *prima facie* evidence in any court of a compliance with the provisions of this Act.

§ 5. It shall be the duty of any person, firm or corporation sinking a well in any oil or gas bearing rock, or having sunk such well and maintaining the same, to case off and keep cased off all fresh water from such well.

§ 6. Any person, firm or corporation violating the provisions of section 1 or failing to comply with the provisions of section 2 of this Act, or who shall fail or refuse to plug a well in the time and manner provided in section 3 of this Act, or shall fail or neglect to secure and file in the proper recorder's office the affidavit provided for and required in section 4 of this Act, or shall fail and neglect to properly case off fresh water from such well and keep the same cased off while said well is maintained, as provided in section 5 of this Act, shall be liable to a penalty of one hundred dollars (\$100) for each and every violation thereof, and the further sum of one hundred dollars (\$100) for each ten days during which such violation shall continue, and all such penalties shall be recoverable in a civil action brought in any court of competent jurisdiction in any county in which said violation occurred, brought in the name of the State of Illinois on the relation of such county, and for the use and benefit of such county, and in all such cases; if there be recovery by the State, it shall recover in addition to such penalties a reasonable attorney's fee.

[§ 2.] § 7. WHEREAS, An emergency exists for the immediate taking effect of this Act, therefore, the same shall be in force and effect from and after its passage.

APPROVED June 7, 1911.

## OFFICERS.

## FINANCIAL STATEMENTS OF COUNTY AND TOWNSHIP OFFICERS.

§ 1. Amends section 1, Act of 1881.

§ 1. As amended, requires certificate showing balance in bank, counting of money, and filing copy of report with county clerk.

(HOUSE BILL NO. 42. APPROVED MAY 27, 1911.)

AN ACT *to amend section one (1) of an Act to require officers having in their custody public funds, to prepare and publish an annual statement of the receipts and disbursements of such funds, approved May 30, 1881, and in force July 1, 1881.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an Act to require officers having in their custody public funds, to prepare and publish an annual statement of the receipts and disbursements of such funds, approved May 30, 1881, and in force July 1, 1881, be amended to read as follows:

§ 1. That each and every public officer, elected or appointed, of each and every county and township in this State, who shall, by virtue of his or her office, have the custody of public funds, shall at the expiration of each fiscal year prepare a statement of the amount of public funds received and expended by him or her during the fiscal year just closed; which statement shall show the amount of public funds received and from what sources received, and the amount of public funds expended, and for what purposes expended; and such official shall also procure and exhibit to the township, or county board or to the proper official or officials, as the case may be, whose duty it is to audit such annual statement a certificate from the cashier of the bank or banks in which such funds are deposited, showing the balance to the credit of the official making the statement, and if such funds are in the hands of the said official the money shall be counted by those whose duty it is to audit the same, and the officer making such statement shall subscribe and swear to the same before some person authorized to administer oaths; and such officer shall, within thirty days after the close of each fiscal year, cause such statement to be published in some newspaper published in the county in which such officer holds his or her office, for one week; and if no newspaper is published in such county, then such officer shall make three (3) written copies of such statement and post them in three (3) of the most public places nearest to the location of his or her office; and such officer shall, within thirty days after the close of each fiscal year, file a copy of said statement, so subscribed and sworn to, in the office of the county clerk of the county in which such officer holds his or her office: *Provided*, that the provisions of this Act requiring publication of the annual financial statement in some newspaper, shall not apply to sheriffs, circuit clerks, county clerks, county recorders, county superin-

tendents of schools, county treasurers, county collectors, and township collectors in counties under township organization: *And, provided, further,* that the cost for the publication of said statement shall not exceed the sum of one dollar per hundred words, to be paid out of the funds in the hands of the officer making such statement: *And, provided, further,* that said public officer shall not be required to have said statement published if he shall be unable to procure such publication at the price allowed by this Act.

APPROVED May 27, 1911.

PAYMENT OF PUBLIC MONEY INTO STATE TREASURY.

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| <p>§ 1. To what State officers, boards, departments, etc., Act applies.</p> <p>§ 2. Detailed itemized accounts—quarterly statement of receipts and payments into State treasury.</p> | <p>§ 3. Auditor to examine and audit books etc.—money on hand when Act takes effect to be paid into State treasury within thirty days.</p> <p>§ 4. Rights of Auditor.</p> <p>§ 5. Violations—penalty.</p> |
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(HOUSE BILL NO. 311. APPROVED JUNE 9, 1911.)

*AN ACT in relation to the payment of the public money of the State into the State treasury.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Secretary of State, the Auditor of Public Accounts, the Superintendent of Public Instruction, the Adjutant General, the Insurance Department of the State of Illinois, the Board of Administration, the Charities Commission, the Board of Commissioners for the Management of the State Library, the Illinois Stallion Registration Board, the Board of Live Stock Commissioners, the Board of Veterinary Examiners, the Railroad and Warehouse Commission, the Chief Inspector of Grain, all Deputy Inspectors of Grain, Warehouse Registrars and their assistants, all State Weigh-masters, the State Commissioners of Labor, the Chief Inspector of Private Employment Agencies, the State Board of Examiners of Architects, the Board of Examiners of Barbers, the Board of Fish Commissioners, the State Game Commissioner, the State Board of Health, the State Board of Pharmacy, the Illinois State Board of Dental Examiners, the Miners' Examining Boards of the respective counties, the State Board of Examiners of Registered Nurses, the State Entomologist, the State Fire Marshal, the State Food Commissioner, and all like executive and administrative boards, commissions, commissioners, departments and institutions of the State government herein named, are hereby declared to be officers, arms, agencies and departments of the State government, and all moneys received by each of such officers, boards, commissions, commissioners, departments or institutions, for or on behalf of the State, from fees, fines, penalties, forfeitures, rentals, the sales of property or from other like sources, shall be paid into the State treasury, and no such officer, board, commission, commissioner, department or institution shall expend any money so received, for salaries, expenses or for any other



purpose, except upon the warrant of the Auditor of Public Accounts based upon appropriations from the State treasury made biennially by the General Assembly.

§ 2. It shall be the duty of every officer, board, commission, commissioner, department or institution brought within the provisions of this Act by section 1 hereof, to keep, in proper books, a detailed itemized account of all moneys received as aforesaid, and from what source, or sources, received. Every such officer, board, commission, commissioner, department or institution receiving money as aforesaid, shall, on or before the second Wednesday of January, April, July and October of each year, file in the office of the Auditor of Public Accounts, a detailed statement of such receipts, verified by the oath, or affirmation, of such officer, or by the oath, or affirmation, of some officer or employé of the board, commission, commissioner, department or institution making and filing such statement, and shall, on such date, pay into the State treasury all moneys so received during the three calendar months next preceding. All moneys so paid into the State treasury shall, unless required by some statute to be held in the State treasury in a separate or special fund, be covered into the general revenue fund in the State treasury.

§ 3. It shall be the duty of the Auditor of Public Accounts, immediately on the taking effect of this Act, to examine and audit the books, documents, memoranda, papers, records and files of every officer, board, commission, commissioner, department or institution receiving money as aforesaid to ascertain the amount of money in the possession, custody or control, or subject to the order, of any such officer, board, commission, commissioner, department or institution at the time this Act takes effect. All moneys arising from the sources aforesaid, and in the possession, custody or control, or subject to the order, of any such officer, board, commissioner, commission, department or institution at the time this Act takes effect, shall, within thirty days thereafter, be paid into the State treasury.

§ 4. The Auditor of Public Accounts shall, at all times, have the right to examine all the books, documents, memoranda, files, papers, and records of any officer, board, commission, commissioner, department or institution, receiving money as aforesaid, to verify the accuracy of the account required by section 2 of this Act to be kept.

§ 5. Any officer named herein, or any officer, employé or servant of any board, commission, commissioner, department or institution, receiving money as aforesaid, who shall wilfully fail or neglect to keep a detailed itemized account of all moneys received, as required by sections 1 and 2 of this Act, or who shall make a false or fraudulent entry of the same, or who shall refuse to permit the Auditor of Public Accounts to have free and unrestricted access to the books, documents, memoranda, papers, files, and records in his custody or possession, or who shall wilfully fail, neglect or refuse to file with the Auditor of Public Accounts the statement required by section 2 of this Act, shall be guilty of a mis-

demeanor and, on conviction, shall be punished by a fine in any sum not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

APPROVED June 9, 1911.

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## OFFICIAL BONDS.

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### RELEASE OF SURETIES ON BONDS OF CERTAIN TRUSTEES.

§ 1. Surety may file bill in equity for release—practice—new bond—default.

(HOUSE BILL NO. 541. APPROVED JUNE 7, 1911.)

AN ACT *to provide for the release of sureties on the bond of certain trustees.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any surety on the bond of any trustee of any fund or property appointed by any last will and testament, codicil or other instrument in writing, or appointed or created in any other manner than by appointment by a court [court] of record, or any heir, executor or administrator of such surety, desires to be released from further liability upon any such bond he may file his bill in equity for that purpose, in any court having equity jurisdiction, against such trustee and all other persons interested in such fund or property, including any other surety or sureties upon such bond, setting forth the facts relating to such bond and praying for his release as such surety. The practice in such suit shall be the same, as near as may be, as in other cases in equity, and the court shall have power to compel such trustee, within such reasonable time as may be fixed by the court for that purpose, to make and execute a new bond in the same or greater penalty and with like conditions, as near as may be, as the original bond and with good and sufficient sureties to be approved by the court, or, in default of the execution of such new bond, may remove such trustee and compel him to account and bring into court such trust fund or property, or to deliver or transfer the same to such new trustee as may be appointed by the court to receive the same, and may make all such other orders in the case, including an order releasing such surety, or heir, executor or administrator, as may appear to be just and right for the protection of all persons interested in such fund or property.

APPROVED June 7, 1911.

## OIL INSPECTION.

## OIL INSPECTORS.

§ 1. Amends sections 1 and 2, Act of 1874.

§ 1. As amended, limits annual salary of inspectors to \$5,000 and provides for disposition of fees.

§ 2. Oath—bond—suit on.

(SENATE BILL NO. 444. APPROVED MAY 29, 1911.)

*AN ACT to amend sections 1 and 2 of an Act entitled, "An Act to revise the law in relation to oil inspection," approved March 12, 1874, as amended by an Act approved June 17, 1887.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 2 of an Act entitled, "An Act to revise the law in relation to oil inspection," approved March 12, 1874, as amended by an Act approved June 17, 1887, be and the same are hereby amended to read as follows:

§ 1. The mayor of any city, with the approval of the city council, the president of the board of trustees of any village or incorporated town, with the approval of such board of trustees, may, and on the petition of any five inhabitants thereof shall, appoint one or more inspectors for the inspection of coal oil, petroleum, naphtha, gasoline, benzine and other mineral oils or fluids, fix the compensation of such inspectors and prescribe the fees to be paid by those for whom such inspectors render services. The county judge of any county may appoint such inspectors for territory not within the limits of any city, village or incorporated town, fix their compensation and fees. Every such inspector shall hold office for one year and until his successor is qualified, and, with the approval of the power appointing him, may appoint deputies for whom he shall be responsible, who shall take the same oath and be liable to the same penalties as the inspector. All fees collected by such inspector or deputy shall be by him paid into the county, city, village or town treasury and be the property of such county, city, village or town. The salary of such inspector shall not exceed five thousand dollars (\$5,000.00) per year.

§ 2. Every such inspector, before entering upon the duties of his office, shall take and subscribe the following oath:

I do solemnly swear (or affirm, as the case may be), that I will support the Constitution of the United States, the Constitution and laws of the State of Illinois, and that I will faithfully discharge the duties of oil inspector (or deputy oil inspector) according to the best of my ability.

He shall execute a bond payable to the People of the State, if appointed by the county judge, or the city, village or incorporated town by whose mayor or president of the board of trustees he shall be appointed, in such sum as shall be required by the power appointing him, with sureties to be approved by the power appointing him, conditioned

for the faithful discharge of the duties of his office. Any person aggrieved by the misconduct or neglect of such inspector may maintain suit on such bond for his own use.

APPROVED May 29, 1911.

## PARKS.

### LINCOLN PARK BOND ISSUE.

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| <p>§ 1. Authorizes issue of bonds for \$875,000, for additions and improvements.</p> <p>§ 2. Publication of ordinances.</p> <p>§ 3. Conduct of elections.</p> <p>§ 4. Notices of elections.</p> | <p>§ 5. Form of ballot.</p> <p>§ 6. Issue and sale of bonds—limitation of indebtedness.</p> <p>§ 7. Registration of bonds—levy and collection of taxes.</p> <p>§ 8. Emergency.</p> |
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(SENATE BILL NO. 54. APPROVED MARCH 21, 1911.)

AN ACT authorizing "*The Commissioners of Lincoln Park*" to issue bonds, and providing for the payment thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "The Commissioners of Lincoln Park" of the county of Cook, are hereby authorized to from time to time issue bonds not exceeding the total amount of eight hundred and seventy-five thousand dollars, for the purpose of enlarging and improving Lincoln Park, and the completion of work already begun.

§ 2. Whenever "The Commissioners of Lincoln Park" desire to issue any of the bonds authorized by section one (1) of this act, they shall pass an ordinance fixing the amount of the bonds proposed to be issued, the rate of interest and the maturity. Said ordinance shall then be published in a newspaper of general circulation in the county of Cook, and be posted in five public places in each town included in the park district.

§ 3. After the passage of the ordinance prescribed in section two (2) of this Act, "The Commissioners of Lincoln Park" shall order an election, at which shall be submitted to the legal voters of the towns included in said Lincoln Park district, the question of issuing bonds, and shall fix the polling places at which said election shall be held, and shall select the judges and clerks therefor.

§ 4. The notice of said election shall state the amount of bonds to be issued and the purpose thereof and the said notice shall be posted in at least ten (10) public places in said district at least ten (10) days prior to the election, and such notice shall be published in a newspaper having a general circulation in said district for three (3) successive days, the first publication to be made at least ten (10) days prior to the date of election, the election may be held on the same day and at the same places as any general or special election.



§ 5. The ballots at the election hereby authorized shall be a separate ballot and in substantially the following form:

#### OFFICIAL BALLOT.

INSTRUCTIONS TO VOTERS: To cast a ballot in favor of the proposition submitted upon the ballot, place a cross (X) mark in the square opposite the word "Yes." To vote against the proposition submitted upon this ballot, place a cross (X) mark opposite the word "No."

Shall the following be adopted:

Proposition to issue bonds of Lincoln Park to the amount of.....dollars for the purpose of enlarging and improving Lincoln Park and for the completion of work already begun.	Yes.	
	No.	

§ 6. In case a majority of the votes cast upon the proposition shall be in favor thereof "The Commissioners of Lincoln Park" may proceed, from time to time, to issue and sell the said bonds, in denominations of one hundred dollars (\$100.00) or any multiple thereof, payable in not exceeding twenty (20) annual installments, said bonds to bear interest at the rate of not more than five (5) per centum per annum, evidenced by interest coupons payable semi-annually. Nothing herein contained shall be construed to authorize the contracting of an indebtedness in excess of five (5) per centum of the valuation of the taxable property in said district as assessed for State and county purposes.

§ 7. Said bonds before being delivered to the purchaser shall be registered in the office of the Auditor of Public Accounts of the State of Illinois, on payment of the usual fees and said Auditor shall certify on each bond the fact of such registration. In order to provide for the payment of the principal and interest of the bonds so registered, it is hereby made the duty of the said Auditor to annually cause to be levied and collected a direct *ad valorem* tax upon all the taxable property in the district or territory now subject to taxation for the maintenance of said Lincoln Park sufficient in amount to pay the bonds and interest maturing during the next ensuing year. The said taxes when collected shall be received by the State Treasurer and be disbursed by him in payment of said bonds and the interest thereon rendering any surplus to the treasurer of said "The Commissioners of Lincoln Park."

§ 8. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED March 21, 1911.

## MUSEUMS IN PUBLIC PARKS.

§ 1. Amends section 1, Act of 1893.

§ 1. Authorizes erection, maintenance and use of museums—admission—condemnation.

(HOUSE BILL NO. 648. APPROVED MAY 25, 1911.)

AN ACT to amend section 1 of an Act entitled, "An Act concerning museums in public parks," approved June 17, 1893, in force July 1, 1893, as amended by an Act of the General Assembly approved May 14, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled, "An Act concerning museums in public parks," approved June 17th, 1893, in force July 1st, 1893, as amended by an Act of the General Assembly approved May 14th, 1903, in force July 1st, 1903, be and the same is hereby amended to read as follows:

[§] 1. That the corporate authorities of cities and park districts having the control or supervision of any public park or parks, are hereby authorized to purchase, erect and maintain within any public park, under the control or supervision of such corporate authorities, edifices to be used as museums for the collection and display of objects pertaining to natural history or the arts and sciences, or to permit the directors or trustees of any museum devoted to either of the purposes aforesaid to erect and maintain its museum or museums within any public park now or hereafter under the control or supervision of any city or park district, and to contract with the directors or trustees of any such museum or museums relative to the erection and maintenance thereof. Such cities and park districts may charge, or permit such museums to charge an admission fee, not to exceed 25 cents for each visitor over ten years of age and not exceeding 10 cents for each visitor of ten years of age or under, the proceeds of such admission fee to be devoted exclusively to the maintenance of such museum: *Provided*, that all such museums shall be open to the public without charge for three days each week, and to the children in actual attendance upon any of the schools in this State at all times. If any owners or owner of any lands or lots abutting or fronting on any such public park, or adjacent thereto, have any private right, easement, interest or property in such public park appurtenant to their lands or lots or otherwise, which would be interfered with by the erection and maintenance of any museum as hereinbefore provided, or any right to have such public park remain open or vacant and free from buildings, the corporate authorities of the city or park district having control of such park, may condemn the same in the manner prescribed in an Act of the General Assembly entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10th, 1872, in force July 1st, 1872, and the amendments thereto."

APPROVED May 25, 1911.

## PARK DISTRICTS—ACT OF 1893 AMENDED.

§ 1. Amends sections 3, 7, 8, 11 and 12, Act of 1893.

§ 3. President and trustees—term—officers—corporate name.

§ 7. Powers — ordinances — assessments — bonds — board of local improvements—musical concerts—publications.

§ 8. Acquisition of land—tax levy—limitation.

§ 11. Meetings of board of trustees — duties of president.

§ 12. Regular election of officers—when city election law applies—election contests—nominations—appointment of trustees.

(SENATE BILL NO. 239. APPROVED JUNE 7, 1911.)

AN ACT to amend sections 3, 7, 8, 11 and 12 of an Act entitled, "An Act to provide for the creation of pleasure driveway and park districts," approved June 19, 1893, in force July 1, 1893; as amended by an Act approved June 17, 1895, in force July 1, 1895; as amended by an Act approved and in force May 11, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 3, 7, 8, 11 and 12 of an Act entitled, "An Act to provide for the creation of pleasure driveway and park districts," approved June 19, 1893, in force July 1, 1893; as amended by an Act approved June 17, 1895, in force July 1, 1895; as amended by an Act approved and in force May 11, 1901, be amended so as to read as follows:

§ 3. In each pleasure driveway and park district organized under this Act, there shall be elected a president and six trustees who shall be legal voters of and reside within said district, who shall hold their office, the president for a term of two years and the trustees for a term of four years, from the date of said election and until their successors are elected and qualified: *Provided*, that at the first election of trustees held in any district organized under this Act three of the trustees shall be elected for the term of two years only, when three new trustees shall be elected to succeed the three whose term of office shall then expire, and the three so elected shall hold their office for the term of four years and until their successors are elected and qualified, and at the first election held for trustees in any district organized under this Act, the voters shall designate on their ballot three persons as trustees for two years and three persons as trustees for four years, and the president and such trustees when so elected shall meet at some convenient place within said district within two weeks after said election and organize by electing a secretary and a treasurer; the term of office of both the secretary and treasurer shall not be longer than two years and they shall each give such bond and perform such duties as shall be required of them by said board of trustees. The president so selected shall have the right to vote upon all questions coming before said board, and shall be a member thereof and such pleasure driveway and park district shall, from the time of the first election held by it under this Act be construed in law and equity a body corporate and politic, by the name and style of the pleasure driveway and park district of.....and by such name and style may sue and be sued



contract and be contracted with, acquire and hold real estate and personal property for all corporate purposes and adopt a common seal and alter the same at pleasure.

§ 7. The president and board of trustees of any pleasure driveway and park district organized under this Act shall have power within the jurisdiction of such pleasure driveway and park districts to designate by ordinance the whole or any part of two or more streets, roads, avenues, boulevards or highways under the jurisdiction of any city, town or village within the boundaries of said district, as a public driveway, to be used for pleasure driving only, and to improve or maintain the same; and also to lay out, establish, open, alter, widen, extend, grade, pave or otherwise improve and maintain such streets, roads, avenues, boulevards or highways and designate the same as pleasure driveways, to be used for pleasure driving only. The corporate authorities of such pleasure driveway and park districts may, by ordinance, regulate, restrain and control the speed of travel upon the same, and in all things may regulate, restrain and control the use of said pleasure driveways and parks by the public or individuals, and may exclude therefrom funeral processions, hearses and traffic teams and vehicles, so as to free the same from any and all business traffic or objectionable travel, and may prescribe by ordinance such fines and penalties for the violation thereof as cities and villages are allowed by law to prescribe for the violation of ordinances: *Provided*, that any and all roads, highways, avenues, pleasure driveways, boulevards and parks lying wholly or in part within the corporate limits of any city, town or village situated within any pleasure driveway and park district organized under this Act shall first, from and after the organization of such district, by ordinance of the corporate authorities of such city, town or village, be turned over and placed under the control of the board of trustees of any such pleasure driveway and park district and accepted, by ordinance, by such district.

Power is hereby conferred upon any pleasure driveway and park district organized under this Act, to lay out, extend, maintain and improve pleasure driveways and boulevards under the provisions of article 9 of an Act to provide for the incorporation of cities and villages, approved April 10, 1872, and in force July 1, 1872, and all amendments thereto so far as the same may apply. The same provisions shall apply to the collections of the assessments by installments and for the issuing of bonds and vouchers therefor as are provided in cases of special assessments of cities and villages in article 9 aforesaid, and amendments thereto, and also an Act of the General Assembly entitled, "An Act to authorize the division of special assessments in cities, towns and villages into installments, and authorizing the issue of bonds to anticipate the collection of the deferred installments," approved June 17, 1893, and in force July 1, 1893.

The park engineer, who shall be also *ex officio* superintendent of special assessments, the chairman of the finance committee and the president of said board of trustees, shall constitute the board of local improve-



ments for such park districts, who shall act as such board of local improvements without compensation; and the secretary of said board of trustees shall be *ex officio* secretary of said board of local improvements and collector of said special tax or special assessments.

The mode of making such special assessments and the filing of the assessment roll and proceedings thereon shall be the same as provided by law for making special assessments for local improvements in cities of over fifty thousand inhabitants.

Power is hereby also conferred upon any board of trustees of any such district organized under this Act to appropriate money to be expended for musical concerts in the parks of the district, for the publication of the proceedings of one meeting each month of said board of trustees and for the expense of publishing the annual report of said park district.

§ 8. Such pleasure driveway and park district created under this Act shall have power to acquire, by gift, grant, devise or purchase, or by condemnation under the Act of eminent domain, any or all grounds or lands necessary for building, laying out, and maintaining any such pleasure driveways, boulevards and parks, as such board of trustees may deem proper and shall also have the power to raise money by general taxation for the purpose of acquiring the right of way for laying out, building and maintaining any such driveways, boulevards and parks, and may, by general taxation, raise sufficient money to pay all necessary expenses incurred by said board for engineer's, secretary's and attorney's services and for the purpose of keeping in repair, and for paying policemen or other persons necessarily employed to guard, protect and maintain any such pleasure driveway, boulevards and parks within said district; and power is also hereby conferred upon said pleasure driveway and park district to borrow money on the credit of the district and issue bonds therefor in such amounts and on such conditions as it shall prescribe for the payment of land condemned or purchased for parks, boulevards and pleasure driveways, for the building, maintaining and improving the same, and for the payment of expenses incident thereto; but the said district shall not, unless authorized by a vote of the electors of such district as hereinafter provided, become indebted in any manner, nor for any purpose, to any amount including existing indebtedness, in the aggregate to exceed two and one-half per centum of the value of taxable property therein, to be ascertained by the equalized assessments for the State and county taxes for the previous year, but the said board of trustees may at any election in said district at which members of said board are voted for, also submit to the electors of said district the question of incurring a larger amount of indebtedness and issuing bonds therefor, and in that case the amount of indebtedness to be incurred and the bonds to be issued shall be plainly printed on the ballots, and the ballots prepared for the voters at any election upon the question of such increase of indebtedness or said bond issue shall conform to the requirements of law for submitting amendments to the Constitution. If a

majority of the electors voting at such election shall vote for incurring such increase of indebtedness or bond issue the same shall thereby be fully authorized; but such further increase of indebtedness or the issuing of bonds shall in no case exceed, including existing indebtedness, the sum of five per centum on the value of taxable property therein, to be ascertained by the last equalized assessment for State and county taxes previous to the borrowing of such money and issuing of such bonds, and before or at the time of issuing such bonds, said board shall provide for the collection of an annual tax sufficient to pay the interest on such bonds as it falls due, and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing such bonds.

All general taxes proposed by said board of trustees to be levied upon the taxable property within said district shall be levied at the same time and in the same manner as taxes are now levied for city and village purposes under the laws of this State: *Provided*, the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of the interest on the bonded indebtedness, shall not exceed the rate of six mills per centum upon the aggregate valuation of property within such district subject to taxation therein as the same was equalized for the State and county taxes for the year previous. All moneys when collected under any of the provisions of this Act shall be paid to the treasurer of said board of trustees for said district.

§ 11. The president of any district organized under this Act shall preside at all meetings of the board of trustees, and shall call special meetings of the board on request of two or more of the trustees, and in case of special meeting shall cause a written notice to be given to all members of the board of trustees. He shall sign all ordinances, resolutions and other papers necessary to be signed, and shall execute all contracts entered into by the district, and perform such other duties as may be prescribed by ordinance of the board.

§ 12. The regular election for president and trustees of any district organized under this Act shall be held every two years after such organization on the third Tuesday of July, and the president and board of trustees shall give twenty (20) days' notice of such election, the purpose for which the same is held, appoint the polling place or places and the judges and clerks of election, furnish the official ballots, and the election shall be conducted and the votes canvassed and the returns made to said board of trustees of any such districts in the manner as required of the president and board of trustees of incorporated villages in this State acting under the general law for the incorporation of cities and villages: *Provided*, that whenever all or any part of the territory embraced in any district organized under this Act is within the territorial limits of any city or village in which are in force the provisions of an Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, and Acts amendatory thereto, and in which are also in force the provisions of an Act entitled, "An Act

to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto article XIII," approved March 9, 1910, in force July 1, 1910, the provisions of said Act entitled, "An Act regulating the holding [of] elections and declaring the results thereof in cities, villages and incorporated towns in this State," and Acts amendatory thereto, shall apply at all elections held in such district throughout so much of said district as is within the territorial limits of said city or village, and there shall be elected at the first election held in such district after this amendatory Act shall be in force, the president and six trustees of such district, who shall hold their office until the election and qualification of their successors, who shall be elected at an election to be held in such district at the same time and on the same day on which falls the first regular election thereafter for mayor and commissioners for such city or village, and at said last mentioned election there shall be elected in such district the president, whose term of office shall be two years and whose successor shall be elected every two years thereafter, and six trustees, three of whom, to be so designated upon the ballot, shall hold their office for the term of two years and whose successors shall then be elected for a term of four years and every four years thereafter, and three of whom, to be so designated upon the ballot, shall hold their office for the term of four years and whose successor[s] shall be elected every four years thereafter: *And, provided, further,* that the election of any person declared elected to the office of president or trustee of any district organized under this Act may be contested by any qualified voter of such district in like manner as the election of mayors of cities may be contested, and that the circuit and county courts of the county within which said district, or the greater portion thereof lays, shall have concurrent jurisdiction to hear and determine such contests.

Nominations of candidates for the office of president and trustee to be voted upon at all elections provided for by this Act, other than the election called by the county court, as hereinbefore provided, for the election for the first trustees for any such district, shall be made only by petition in like manner as is provided for nominations for candidates by petition for town offices, in counties under township organization, by an Act entitled "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, and Acts amendatory thereto; such petition shall be addressed to, and filed in the office of the board of trustees of such pleasure driveway and park district, and a copy thereof shall at once be certified by the secretary of such board to the board of election commissioners of any such city or village, in which said district lays wholly or in part, and in which are in force the provisions of said Act entitled "An Act regulating the holding of elections and declaring the results thereof in cities, villages



and incorporated town[s] in this State," and of said Act entitled "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto, by adding thereto article XIII," and all objections or other questions arising in relation to such nominations and petitions therefor shall be passed upon by the circuit or county court of the county in which such district, or the greater portion thereof, lays and the decision of such court shall be final.

The question whether the trustees of any pleasure driveway and park district shall be elected by the legal voters of such district, or shall be appointed by the county and circuit judges, as hereinafter provided, may be submitted for adoption or rejection by the legal voters of said district at any election for trustees held in such district upon petition signed by not less than five per centum of the legal voters of such district and filed with the board of trustees, or, if asked for in the petition for organization of such district, at the election held for the purpose of voting upon the question of such organization; and the ballots at such election shall be in the following form:

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For the appointment of park trustees

Against the appointment of park trustees

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A majority of all the legal votes cast at such election shall determine the manner thereafter of selecting such park trustees. The votes cast at such election in districts now organized shall be canvassed by the board of trustees of said park districts and the results thereof spread upon the records of said district; and the votes cast at the elections for the organization of such park districts shall be canvassed by the county judge and be spread upon the records of said court.

Within ten (10) days after any such election in which a majority of the legal votes cast thereat shall be in favor of the appointment of trustees for said district, as herein provided, the county judge of the county in which all or a greater portion of said district is located, and two of the judges of the circuit court of the judicial district in which said park district is located, which of said circuit judges shall act to be determined by lot among themselves, shall appoint by ballot for such park district seven trustees of such district, who shall qualify and hold their respective offices until the first Monday in July following such organization and until their successors are appointed and qualified as herein provided, and no longer; and in all park districts now organized under this Act in which the question of the manner of choosing park trustees has been submitted to the legal voters of said district, and a majority of the legal votes cast at said election shall be in favor of the appointment of said trustees as herein provided, the officers of said park district then in office



shall hold their respective offices until the first Monday in July following, and until their successors are appointed and qualified as herein provided, and no longer.

On the first Monday of July following the election in any park district organized, or to be organized, under this Act in which the legal voters have determined as herein provided that the park trustees shall be appointed as provided by this Act, the county and circuit judges, as above designated, shall appoint, by ballot, seven trustees who shall constitute the board of trustees for all pleasure driveways and park districts organized under this Act, and thereafter said judges shall appoint trustees biennially for such districts, on the first Monday in July, to fill the vacancy on said board of trustees caused by the expiration of the term of office of trustees or to fill any vacancy on said board occurring from any cause whatsoever, and said trustees shall be legal voters and reside within the said park district: *Provided*, that no more than four of said trustees, at any one time, shall belong to the same political party. Each of said trustees shall receive a certificate of appointment and qualify within ten days from the receipt of notice of election.

In each pleasure driveway and park district organized, or hereafter organized under this Act, immediately upon the appointment of park trustees as herein provided, said trustees shall meet in some convenient place in said park district and organize and elect by ballot from among their members a president and vice president, who shall qualify and hold their respective offices for a term of two years, and until their successors are elected and qualified. At the first meeting of the trustees appointed as provided herein, they shall divide themselves by lot into two classes, the first class, consisting of four members, shall hold their office for a period of four years, and the second class, consisting of three members, shall hold their office for a period of two years and at the expiration of the term of office of the second class their successors shall be appointed for a period of four years, and thereafter each class of trustees shall be appointed for a period of four years and shall hold their office until their successors are appointed and qualified. The president shall preside at all meetings and in his absence or disability the vice president shall preside. The president and trustees shall elect a secretary and treasurer, whose term of office shall not be longer than two years, and they shall give such bond and perform such duties as shall be required of them by said board of trustees.

All trustees appointed for any park district, as herein provided, shall have and exercise all the powers conferred by this Act upon trustees elected under the provisions of this Act.

APPROVED June 7, 1911.

## PARK DISTRICTS IN CITIES OVER 100,000—ADDITIONS.

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| § 1. Ratio of population—authority to acquire land.<br>§ 2. Additional powers.<br>§ 3. Condemnation.<br>§ 4. Acquisitions from time to time.<br>§ 5. Vacation of streets, alleys, etc. | § 6. Powers of board and control of land acquired.<br>§ 7. Bond issues—limitation.<br>§ 8. Annual tax—levy, extension and collection.<br>§ 9. Emergency. |
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(SENATE BILL NO. 385. APPROVED MAY 25, 1911.)

AN ACT to enable park commissioners to enlarge park systems under their control by acquiring additional lands or territory for park purposes, and to pay for the lands or territories thus acquired.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever in any park district under the control of any public park commissioners located in cities having a population in excess of one hundred thousand (100,000) where the number of inhabitants of such park district shall exceed the ratio of five hundred of inhabitants of such district to each one acre of parks now located in said district under the control of such public park commissioners according to the last public census taken in said district, then said public park commissioners shall be and are hereby authorized to acquire by purchase, gift, condemnation or otherwise any parcel or parcels of land lying within said district or territory under the control of said public park commissioners for the purpose of increasing the present park areas or of creating additional parks and pleasure grounds.

§ 2. Authority is hereby expressly granted to any such boards of public park commissioners to acquire from time to time additional parks, or territory for park purposes, and the powers hereby conferred are in addition to the powers heretofore granted to any of said boards of public park commissioners by any Act of the General Assembly of this State.

§ 3. In the event that any of said boards of public park commissioners cannot agree with the owner or owners, lessee, occupants, or persons interested in any of the lands or parcels of lands selected by it as aforesaid, it shall proceed to secure the condemnation of the same in the manner described in the Act of the General Assembly of the State of Illinois, entitled, "An Act to provide [for] the exercise of eminent domain," approved April 10, 1872, and in force July 1, 1872, and the amendments thereto.

§ 4. Lands and territory for additional parks as authorized by this Act may be acquired from time to time until the ratio of the number of inhabitants as shown by the last public census in said district under the control of any of said boards of public park commissioners shall be that of not more than five hundred inhabitants of said district to each one acre of public parks located in said district.

§ 5. It shall be lawful for any of said boards of public park commissioners to vacate and close up any highway, street, avenue or alley

which may pass through, divide, or separate any land so selected or appropriated by it: *Provided*, that the consent of the municipal authorities having control of said highway, street, avenue or alley so taken shall be first obtained.

§ 6. Such boards of public park commissioners shall have the same control and power of the lands or territory taken under this Act as are, or may be, by law invested in it, of and concerning the parks, boulevards and driveways now under its control.

§ 7. Authority is hereby expressly granted to said boards of public park commissioners, as such corporate authorities to issue and sell from time to time, in addition to the bonds now authorized by law to be issued and sold by such park commissioners, interest bearing bonds to an amount which may be required for the purpose of purchasing or otherwise acquiring said lands and territories as provided in this Act: *Provided, however*, that no bonds shall be issued under this Act contrary to section 12, article 9, of the Constitution of this State: *And, provided, further*, that no bonds in excess of \$100,000.00 shall be issued during any one year without being first submitted to a vote of the legal voters of such park district at any general or special election and receive a majority of the votes cast upon such proposition.

§ 8. Authority is hereby expressly granted to said boards of public park commissioners, as such corporate authorities issuing bonds, for the said purposes set out in this Act, to levy and collect a direct annual tax upon the property within its jurisdiction, in addition to the taxes now authorized by law to be levied and collected by such corporate authorities, in sufficient amount to pay the interest on said bonds which are issued, as herein authorized, as it falls due; and also to pay and discharge the principal of such bonds, which may be issued from time to time, within twenty years from the date of issuing said bonds; and the county clerk of the county in which any said park district is located, or such other officer or officers as are by law authorized to spread taxes for park purposes, and other purposes, upon receiving a certificate from any such boards of public park commissioners that the amount mentioned in such certificate is necessary for the purpose herein authorized, shall spread and assess, the same upon the taxable property embraced in said park district the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

§ 9. WHEREAS, There is a necessity for the immediate acquisition of additional lands for park purposes as contemplated in this Act; therefore, an emergency exists, and this Act shall take effect and be in force from and after its passage.

APPROVED May 25, 1911.

## PARK POLICE PENSION FUND.

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| § 1. What moneys to constitute pension fund.<br>§ 2. Board of trustees—appointment and election—vacancies—rooms.<br>§ 3. Who entitled to pension—limitation.<br>§ 4. Retirement for physical disability—limitation of allowance.<br>§ 5. Certificate of disability.<br>§ 6. Death—injury—insanity. | § 7. Examination after retirement for disability—emergency service.<br>§ 8. When pension allowance shall cease.<br>§ 9. Meetings of board—officers—proceedings.<br>§ 10. Powers and authority of board.<br>§ 11. Collection of funds.<br>§ 12. Pro rata allowances.<br>§ 13. Repeal. |
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(SENATE BILL NO. 60. APPROVED MAY 31, 1911.)

AN ACT to provide for the setting apart, formation, administration and disbursement of a park police pension fund.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any persons have been or may be appointed or otherwise selected as commissioners or officers and constitute a board of park commissioners for any one or more towns, whether said towns have heretofore existed or now exist under and in pursuance of any Act or Acts of the General Assembly of this State, for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work or improvement, and such board of park commissioners shall have established a police force or department of police under the employ of such board of park commissioners, there shall be set apart the following moneys to constitute a police pension fund:

1. One and one-half per cent per month, which shall be paid by or deducted from the salary of each and every member of such police department, provided, no such member shall be compelled to pay more than three dollars (\$3.00) a month from his salary.

3. All moneys received from fines imposed upon members of such police department for violation of the rules and regulations of such police department.

4. All rewards given or paid to members of such police department, except such as shall be excepted by the chief officer of such police department.

5. All fines and penalties collected for violations of any of the ordinances of such board of park commissioners or of any of the laws of the State of Illinois as now in force, within the territory under the control of such board of park commissioners, in all cases in which arrests for violation of such law shall be made by officers of such police department.

§ 2. A board, composed of five members, residents of such one or more towns, to be chosen as hereinafter provided, shall be and constitute a board of trustees to provide for the handling and disbursement of said fund or funds and designate the beneficiaries thereof, as herein directed, —which board shall be known as the Board of Trustees of the Police Pension Fund of the park board of commissioners of such one or more towns. Three shall be appointed by the president of the board of park



commissioners of such one or more towns. One of said members shall serve for a period of one year, beginning on the third Tuesday in July, 1911; one of said members shall serve for a period of two years, beginning on the third Tuesday in July, 1911; the third member shall serve for a period of three years, beginning on the third Tuesday in July, 1911; the successors of any of the foregoing trustees shall serve for a period of three years each, or until such time as their successors are appointed and qualified. The said three members of said board shall be residents of such town or towns and shall not hold, during their term of membership on such board, any appointive or elective political offices or positions. The remaining two members of said board shall be chosen, one from the active police force of such police department, and one from the body of pensioners under this Act, who shall have been members of such police department: *Provided*, that if there be no such pensioners, then said remaining two trustees shall be chosen from the active police force of such police department.

The members to be chosen from the active police force shall be elected by ballot at an annual election, at which election all members of the active police force shall be entitled to vote. The members to be chosen from the body of pensioners under this Act shall be elected by ballot at an annual election, at which election all retired members of the police force who are pensioners under this Act, and the widows of all deceased pensioners, who are pensioners under this Act, shall be entitled to vote. In the event there shall be no widow surviving, then the guardian of any children of such deceased pensioners, where such children are also pensioners, may cast the vote to which such widow would have been entitled had she survived.

The election in this section provided for shall be held annually on the third Tuesday in July; under rules and regulations prescribed by the board of trustees; at such place or places in such town or towns and under such regulations as shall be prescribed by the three appointive members of said board: *Provided, however*, that no person entitled to vote under the provisions of this section shall cast more than one vote at any such election.

The members to be elected from the active police force and from the body of pensioners shall each serve for a period of one year, or until their successors are elected and qualified.

In the event of the death, resignation or inability to act of any member of said board elected under the provisions of this section, a successor of such member shall be elected at a special election, which shall be called by said board within thirty days after such vacancy, and shall be conducted in the same manner as are the annual elections hereunder.

Suitable rooms for offices and meetings of such board shall be assigned and provided by the park board of commissioners of such one or more towns.

§ 3. Whenever any person, at the time of the taking effect of this Act or thereafter, shall have been duly appointed and have served for a period of twenty years or more upon the regularly constituted police force of such park board of commissioners for such one or more towns,

subject to the provisions of this Act, or where the combined years of service of any person upon the police force of such park board of commissioners shall aggregate twenty years or more, said board shall order and direct that such person, after his service on such police force shall have ceased, shall be paid a yearly pension equal to one-half the amount of salary attached to the rank which he may have held on said police force for one year immediately prior to the time of such retirement: *Provided, however,* the maximum of said pension shall not exceed the sum of nine hundred dollars (\$900.00), and the minimum shall not be less than six hundred dollars (\$600.00), per annum; and after the death of such person pensioned by virtue of this Act or any Acts amendatory thereof, the widow or the child or children under sixteen years of age of any such pensioner, or if there be no widow, child, or children under sixteen years of age, then the father or mother of said pensioner shall thereafter be paid the pension herein provided for such husband or father; but nothing herein contained shall warrant the payment of any annuity to any such widow after she shall have remarried, or to any child of any such pensioner after he or she shall arrive at the age of sixteen years.

§ 4. Whenever any person, while serving as a policeman under the employment of any such park board of commissioners, shall become physically disabled, said board shall, upon his written request, or without such request if it deem it for the good of said police force, retire such person from active service and order and direct that he be paid from said fund a yearly pension not exceeding one-half the amount of the salary attached to the rank which he may have held on said police force at the time of his retirement: *Provided,* that the maximum sum of such pension shall not exceed the sum of nine hundred dollars (\$900.00) per year, and the minimum not less than six hundred dollars (\$600.00) per year: *Provided, further,* that whenever such disability shall cease, such pension shall cease.

§ 5. No person shall be retired as provided in the next preceding section, or receive any benefit from such fund, unless there shall be filed with said board certificates of his disability, which certificates shall be subscribed by said person and by the police sergeant, if there be one, and by two practicing physicians of such one or more towns, and such board may require other evidence of disability before ordering such retirement and payment as aforesaid.

§ 6. Whenever any member of the police force of such board of commissioners shall lose his life while in the performance of his duty, or receive injuries from which he shall thereafter die, leaving a widow, or child or children under the age of sixteen years, or if there be no widow, child or children under sixteen years of age, but a father or mother of said pensioner, then, upon satisfactory proof of such facts made to it, such board shall order and direct that a yearly pension of one-half the salary received by said member, not to exceed nine hundred dollars (\$900.00), and the minimum not less than six hundred dollars (\$600.00) per year shall be paid to such widow, during her life, or if there be no widow, then to such child or children until they shall be

sixteen years of age, or if there be no widow, child or children under sixteen years of age, then to the father or mother of said pensioner: *Provided*, if such widow, child or children shall marry, then such person so marrying shall thereafter receive no further pension from said fund: *And, provided, further*, that whenever any member of the police force of such board of commissioners has been retired after twenty years' service, or physical disability, and shall then marry, such wife or child or children of such marriage shall after his death receive no pension from said fund.

Whenever any member of such police force shall die or become insane after ten year's service therein, and while still in such service as such policeman, leaving a widow, or child or children under the age of sixteen years, or if there be no widow, child or children under sixteen years of age, then to the father or mother of said pensioner, then, upon satisfactory proof of such facts made to it, said board shall order and direct that a pension of one-half the salary, not exceeding the sum of nine hundred dollars (\$900.00), shall be paid to such widow, or if there be no widow, then to such child or children until they shall be sixteen years of age, or if there be no widow, child or children under sixteen years of age, then to the father or mother of said pensioner, said pension to cease upon marriage, as provided hereinbefore.

§ 7. Any person retired for disability under this Act may be summoned to appear before the board of trustees herein provided for, at any time thereafter, and shall submit himself thereto for examination as to his fitness for the duty, and shall abide the decision and order of such board with reference thereto; and all members of the police force who may be retired under the provisions of this Act, except those who voluntarily retire after twenty years' service, shall report to the chief or commanding officer of police of such board of commissioners on the second Tuesday of each and every month, unless excused in writing by the general superintendent of police, and in case of emergency may be assigned to and shall perform such duty as said chief or commanding officer may direct, and such persons shall have no claim against said board of commissioners for payment for such duty so performed.

§ 8. Whenever any person who shall have received any benefit from said fund shall be convicted of any felony or shall have become a habitual drunkard, or shall become a non-resident of this State, or shall fail to report himself for examination for duty, as required herein, unless excused by the board of trustees, or shall disobey the requirements of said board under this Act in respect to said examination or duty, then such board shall order that such pension allowance as may have been granted to such person, shall immediately cease and determine, and such person shall receive no further pension, allowance or benefit under this Act.

§ 9. The board herein provided for shall hold quarterly meetings on the third Tuesday in July, October, January and April of each year, and special meetings upon the call of the president of said board. On the second Tuesday of July of each year it shall select one of its mem-



bers, who shall act as the president of such board for the period of one year, or until such time as his successor is elected and qualified. Said board shall on the same day also select another of its members, who shall act as the treasurer and also secretary of said board for the period of one year, or until such time as his successor is elected and qualified.

Said board shall issue certificates, signed by its president and secretary, to the persons entitled thereto, of the amount of money ordered paid to such persons from said fund by said board, which certificates shall state for what purpose said payment is made. Said board shall keep a record of all its proceedings, which record shall be a public record. Said board shall submit quarterly to the board of commissioners of such one or more towns a list of persons entitled to payments from the funds herein provided, stating the amount of such payments and for what granted, as ordered by such board, which list shall be signed and certified by the treasurer and president of such board and attested by such treasurer under oath: *Provided*, that no resolution shall be passed or order made for the payment of money unless by affirmative vote of a majority of the members of said board.

§ 10. In addition to the other powers herein granted, the following further powers and authority are hereby conferred upon said board:

1. Said board shall have exclusive control and management of the fund mentioned herein and of all moneys donated, paid or assessed for the relief or pensioning of disabled, superannuated and retired members of the police department, their widows and minor children, the same to be placed by the treasurer of said board to the credit of such fund, subject to the order of such board.

2. All rewards, moneys, gifts, fees or emoluments that may be paid or given for or on account of extraordinary service by said police department or to any member thereof, except when allowed to be retained by said member or given to endow a medal or other competitive reward, shall be paid into said pension fund. The said board may take by gift, grant, devise or bequest any money, real estate, personal property, right of property or other valuable thing, the income only of which shall be available for the uses and purposes of such pension fund.

3. Said board of trustees shall have the power to draw such pension funds from the treasurer or other officials of such board of commissioners and may invest such fund or any part thereof in the name of the board of trustees of said police pension fund in interest-bearing bonds of the United States, or of the State of Illinois, or of any county of this State, or of any township, or of any municipal corporation of the State of Illinois, and all such securities shall be deposited with the treasurer of said board and shall be subject to the order of said board. Said treasurer of said board shall furnish a good and sufficient bond to said board, for an amount to be fixed by said board, all costs incidental to the same to be paid out of said pension fund.



4. All interest and income derived from such investment of such fund or from any moneys of said funds deposited in bank shall belong to and be at the disposal of said board of trustees for the sole use and benefit of the police pension fund.

5. To compel witnesses to attend and testify before it upon all matters connected with the operation of this Act, in the same manner as is or may be provided by law for the taking of testimony before masters in chancery, and its president or any member of said board may administer oaths to such witnesses.

6. To appoint a clerk and define his duties.

7. To provide for the payment from said fund of all its necessary expenses, including clerk hire, attorneys' fees, printing, stationery and witness fees: *Provided*, that no compensation or emolument shall be paid to any member of said board for any duty required or performed under this Act.

8. Make all necessary rules and regulations for its guidance, in conformity with the provisions of this Act.

§ 11. On the third Tuesday in May of each year, the treasurer and all other officials of such park board of commissioners, and the proper officials of any other municipality who shall have the custody or possession of any of such pension funds herein provided, shall make a sworn statement to the board of trustees of such police pension fund and to the president of such park board of commissioners of such one or more towns, of all moneys received and paid out by such official on account of said pension fund during the year, and of the amount of said funds then on hand and owing to said pension fund. All surplus then remaining in said official's hands shall be paid by him to the treasurer of said pension board: *And, provided, further*, any such official shall at any and all times, upon demand by said pension board, furnish to said board statements or information of any kind relative to said official's method of collection and handling of said pension funds: *Provided, further*, that all books and records of such official shall be at all times open for examination and inspection by said board of pension trustees, for the purposes herein provided.

§ 12. If at any time there shall not be sufficient moneys belonging to such pension fund to pay the allowance by such board to its beneficiaries, then such beneficiaries shall be paid *pro rata* from such fund; and no allowance or order of such board of any pension shall be held to create any liability against any board of park commissioners except upon the fund so set apart as herein provided for the payment thereof.

§ 13. All Acts or parts of Acts or amendments thereto heretofore enacted and in any manner conflicting with the provisions of this Act are hereby expressly repealed.

APPROVED May 31, 1911.

## PARKS IN CONTIGUOUS TERRITORY.

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| <p>§ 1. Authorizes taking, improving and maintaining parks and boulevards in contiguous territory—proviso.</p> <p>§ 2. Power—jurisdiction—control.</p> <p>§ 3. Power and authority to revert to proper authorities.</p> <p>§ 4. Authority to consent to taking over, etc.</p> | <p>§ 5. Additional tax—limitation, use, levy, extension and collection.</p> <p>§ 6. When territory considered annexed for park purposes—abrogation of rights, powers, etc.</p> <p>§ 7. Petition for annexation—form of ballot, etc.</p> <p>§ 8. Emergency.</p> |
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(SENATE BILL NO. 291. APPROVED MAY 25, 1911.)

AN ACT to enable public park commissioners to take, improve, govern, locate and maintain parks and boulevards in contiguous territory and not now under their control and to provide a tax for the payment of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That every board of public park commissioners, appointed or otherwise selected, having control of public parks and boulevards for the purpose of improving, maintaining and governing the same shall have the power to take, improve, govern, locate, take over and maintain parks and boulevards in any territory or territories directly contiguous to such park district or territory over which the said board of public park commissioners now has control and jurisdiction: *Provided*, that the limits of the said territory or territories directly contiguous to said park district or territory over which the said board of public park commissioners now has control and jurisdiction shall not exceed in extent the limits or boundary lines of the county in which the said board of public park commissioners is located and exercises control of public parks and boulevards: *And, provided, further*, that no public board of park commissioners now exists in said territory, and provided that the consent, expressed by resolution or otherwise, of the authorities of any such city, town, village, township or district contiguous to said park district and in which there is located or is to be located any public parks or boulevards under this Act, shall be first obtained: *Provided*, that the consent of the authorities shall not be given until the voters of the territory to be annexed shall have voted in favor thereof as hereinafter provided.

§ 2. Such board of public park commissioners shall have the same power, jurisdiction and control of parks and boulevards taken, or hereinafter acquired by virtue of this Act, as may be by law vested in them of and concerning the parks, boulevards or driveways now under their control, and in the acquisition, maintenance and improvement thereof they shall have the same power, as said board of public park commissioners were granted by the legislature in the acquisition and maintenance of parks and boulevards now in their possession.

§ 3. In case any such parks and boulevards so taken, or which are hereafter located in said contiguous territory, shall pass from the control of and such public park commissioners, the power and authority

over the same, granted and authorized by this Act, shall revert to the proper authorities of any such city, town, village, township or district, as the case may be, in which said parks are located.

§ 4. Any such city, town, village, township or district by its authorities shall have full power and authority to consent to the taking by said board of public park commissioners of the right to take, control, improve and maintain all public parks and boulevards in said contiguous territory now located or to be located therein.

§ 5. Be it further enacted, that for the purpose of improving, governing and maintaining public parks, boulevards, driveways, highways, or other public work or improvement by such board of public park commissioners in such aforesaid contiguous city, town, village, township or district as authorized by law, there shall, in addition to the amount of money now authorized to be raised by such board of public park commissioners by taxation, be annually allowed a sum not exceeding the same number of mills on the dollar of the taxable property embraced within such contiguous territory or districts over which the said board of public park commissioners may obtain control and jurisdiction for the purposes set out in this Act as is by law authorized to be levied by such board of public park commissioners for all purposes upon the taxable property embraced within the park district now under the control and jurisdiction of said park commissioners; the said tax shall be assessed according to the valuation of the taxable property embraced within said contiguous territory as made for the purpose of State and county taxation, and such additional tax shall be received and used by such board of public park commissioners for the purpose of improving, governing, maintaining, and for the paying of all necessary incidental expenses incurred in and about the management of parks and boulevards as is by law now authorized of and concerning such board of public park commissioners; and the county clerk of the county in which such park district is located, or such other officer or officers as are authorized by law to spread or assess taxes for park purposes or other purposes, shall on receipt of a certificate from such board of public park commissioners having control and jurisdiction over parks and boulevards in said territory directly contiguous to said park district in which said board of public park commissioners now has control and jurisdiction, and over which control and jurisdiction shall have been assumed by such board of public park commissioners, under and by virtue of the authority of this Act, on or before the first day of August for each year that the amount mentioned in such certificate is necessary for the purpose of governing and maintaining such parks and boulevards, and for paying the necessary incidental expenses incurred in and about the management of the same, spread and assess such amount upon the taxable property embraced in such district, the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over in the same manner to such park commissioners as other park taxes are now required by law to be collected and paid.

§ 6. Be it further enacted, that whenever any of the authorities of any contiguous district shall, under the provisions of this Act, have expressed its consent to the taking of the control and jurisdiction of the parks and boulevards in said contiguous district, or which are to be located therein, and the said board of public park commissioners shall have taken control as authorized under this Act, then said contiguous territory shall be considered as annexed to said park district of said public park commissioners (but for park purposes only) as fully as if originally included therein, and all rights, powers, jurisdiction and control of such contiguous district and the authorities thereof in relation to park and boulevard matters shall be and are hereby made null and void, and any such rights, powers, jurisdiction and control in relation to parks and boulevards of such contiguous district, whether granted by public or private statute, or otherwise, if any such exist, shall be and are hereby repealed and abrogated.

§ 7. Whenever five (5) per cent of the legal voters residing within the contiguous territory, which is proposed to be annexed to such park district, shall petition the county judge to submit the proposition whether or not such contiguous territory shall be annexed to such park district, it shall be the duty of the county judge to submit such proposition at the next general election, provided that such petition shall be presented to said county judge not less than fifteen (15) days before such general election. The proposition so to be voted on shall be on a separate ballot, and shall read as follows: "For annexation of (here insert name of city, town, village, township or district proposed to be annexed) to (here insert the name of the public park district) and against annexation of (here insert name of city, town, village, township or district proposed to be annexed) to (here insert the name of the public park district)."

And if it shall appear that a majority of the voters of such city, town, village, township or district so voting upon the question, shall have voted in favor of such annexation, the public authorities of such city, town, village, township or district shall give their consent thereto.

§ 8. WHEREAS, An emergency exists, this Act shall take effect from and after its passage.

APPROVED May 25, 1911.



## TOWN AND TOWNSHIP PARKS.

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| § 1. Authority to establish.<br>§ 2. Appointment of commissioners—<br>term—organization—duties.<br>§ 3. Bond issue—petition—election.<br>§ 4. Form of official ballot and bonds.<br>§ 5. Sale of bonds—tax levy. | § 6. Proceeds of bonds—power of com-<br>missioners.<br>§ 7. Acquisition of land—condemna-<br>tion.<br>§ 8. Maintenance tax.<br>§ 9. Coöperation with municipal au-<br>thorities.<br>§ 10. Repeals Acts of 1907— <i>proviso</i> . |
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(SENATE BILL NO. 372. APPROVED MAY 29, 1911.)

AN ACT entitled "*An Act to establish and maintain parks and parkways in towns and townships.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of promoting the health and welfare of its citizens, any town or township within whose limits there is not at the time a board of park commissioners invested by law with control over any park lying wholly or in part within said town or township, may acquire and improve lands, to be set apart and forever held as one or more parks, or parkways, to be kept and maintained for the free use of the public.

§ 2. Whenever in any such town or township, not less than fifty of its voters who voted at the last general election held in the said town or township, shall petition the county judge wherever such town or township is located, to appoint a board of town or township park commissioners, said county judge shall thereupon make and enter an order duly appointing three citizens of such town or township to constitute such board of town or township park commissioners; but no such appointment shall be made of any citizen, unless upon petition to such county judge of not less than fifty legal voters of said town or township requesting his appointment as such commissioner.

One of said commissioners shall hold office until the next annual election thereafter for the election of town or township officers; one shall hold office until the second annual town or township election thereafter, and one until the third annual town or township election thereafter. The county judge shall determine the term of each appointee, and thereafter at each annual town or township election one park commissioner [commissioner] shall be elected to succeed the commissioner whose term is about to expire. Said park commissioners shall serve without compensation.

Vacancies occurring shall be filled for the unexpired term or terms by the county judge.

The commissioners shall organize by electing one of their number chairman and one secretary, and shall keep a record of their proceedings, which shall, at all reasonable times, be open to inspection, the same as are other town or township records.

It shall be the duty of such park commissioners to locate and acquire the lands for parks and parkways leading thereto, of such town or town-

ship; to determine the cost; estimate the cost of improving the same, and submit said estimate to the voters of said town or township, as hereinafter provided; to improve, manage and control such park or parks, their maintenance and improvements and to make and enforce reasonable and proper rules and regulations for their beneficial use, occupation and enjoyment by the public.

The commissioners may acquire land for such purposes through donation, devise, purchase or condemnation. When by purchase or condemnation, not exceeding twenty acres shall be acquired for any one park. Bonds of the township for raising money to acquire and improve such parks and parkways may be issued in the manner hereinafter provided.

§ 3. Whenever fifty or more legal voters of any town or township in the State of Illinois shall file a petition in writing in the office of the county clerk asking that an election be held to authorize the issuance of bonds for the purpose of providing for the purchase and improvement of one or more public parks or parkways in said town or township, and said petition shall designate the amount of bonds proposed to be issued for the acquirement and improvement thereof, it shall be the duty of the county court of the county wherein said town or township is located, to submit to the legally qualified voters of the said town or township the question of issuing bonds for the purpose, to the amount named in the petition, at a general or special election to be held in said town or township, and for that purpose the said court shall appoint a day upon which such election shall be held, and thereupon the county clerk shall prepare a notice of such election, which shall state the date upon which such election will be held, the polling places, and the amount of bonds proposed to be issued. Said notice of election shall, by the county clerk, or under his authority, be posted in at least six places in the town or township, at least twenty-one days prior to the election, and such notice shall be published in a newspaper published in said town or township or having a general circulation therein, at least once each week for three successive weeks; the first publication to be made at least twenty-one days prior to the date of election.

The judges and clerks at such election shall be selected and the votes canvassed in the same manner and by the same authority as at other elections, and the ballot used at such election shall be prepared under the same authority.

§ 4. The ballot at the election hereby authorized shall be a separate ballot and in substantially the following form:

#### OFFICIAL BALLOT.

INSTRUCTIONS TO VOTERS: To cast a ballot in favor of the proposition submitted upon this ballot, place a (X) mark in the square opposite the word "Yes"; to vote against the proposition submitted upon this ballot, place a (X) mark opposite the word "No."

Shall the following be adopted:

Proposition to issue park bonds of the town of....., county of....., State of Illinois, to the amount of..... dollars for the purpose of procuring and improving one or more small parks.	Yes	
	No	

In case a majority of the votes cast upon the proposition so submitted shall be in favor of the issuance of bonds, it shall thereupon be the duty of the board of park commissioners of said town or township to issue the bonds of said town or township, not exceeding the amount voted upon at said election. Said bonds shall become due not more than twenty years after their date, shall be in denominations of one hundred dollars or any multiple thereof, and shall bear interest, evidenced by coupons, at a rate not exceeding five (5) per centum per annum, payable semi-annually, as shall be determined by the board of park commissioners.

§ 5. Said bonds shall be sold and the proceeds thereof used solely for the purpose of procuring and improving one or more parks in said town or township; and at or before the time of delivery of said bonds for value, said park commissioners shall file with the county clerk of said county in which such town or township is situated, their certificates in writing under their hands, stating the amount of bonds to be issued, their denominations, rate of interest, where payable and including therein a form of bond to be issued. In addition thereto, said board of park commissioners shall levy a direct tax upon all of the taxable property in the town or township sufficient to pay the principal and interest of said bonds, as and when the same respectively mature; and said certificate so filed with said county clerk shall be full and complete authority to said clerk to extend the tax named in such certificate, upon all the taxable property of the town or township, the same to be in addition to all other taxes authorized by law.

§ 6. The proceeds of said bonds shall be received and held by the board of park commissioners, and expended under the direction and upon the warrant of a majority of them. Such board of park commissioners or a majority of them shall have full power and authority to choose, select and designate the piece, parcel or parcels of land or property to be utilized for such park and parkways, and to determine the character, time and manner of improving, developing, maintaining and adorning the same.

§ 7. Any town or township in this State desiring to procure lands for park purposes, as in the preceding sections provided, may, through their board of park commissioners, purchase the same from the owner or owners thereof, or, at the discretion of the said park commissioners, may acquire such lands by the exercise of the power of eminent domain, in the manner now or hereafter provided by the laws of the State of Illinois for the taking or damaging of private property for public pur-

poses. Such proceedings shall be conducted in the name of the town or township, and title to all property acquired for such park or parks shall be taken in the name of the town or township.

§ 8. For the purpose of providing a fund for the maintenance of said park or parks, the board of park commissioners are hereby authorized to levy annual taxes, not exceeding one mill on each dollar of the valuation of the property of said town or township, as assessed for taxation, in any one year, which shall be levied and collected at the time and in the manner that other town or township taxes are required to be levied and collected. Said maintenance tax, when levied and collected, shall be kept separate from all other town or township funds, and shall be applied exclusively to the expenses of maintenance and up-keep, adornment and development of any park or parks, or parkways heretofore acquired by such town or township, or to the acquisition of other lands to be used for public park purposes.

§ 9. Whenever a park or parks are located wholly or in part in or adjacent to a city, incorporated town or village in the same town or township, the board of park commissioners are authorized to negotiate with and coöperate with the proper authorities of such city, incorporated town or village for water, fire and police protection of said park or parks and parkways.

§ 10. An Act entitled "An Act authorizing townships to acquire and maintain lands for park purposes," approved March 2, 1907, and an Act entitled "An Act authorizing townships to issue bonds for park purposes and providing for the payment thereof," approved March 2, 1907, are hereby repealed, but any and all proceedings instituted under either or both of said Acts so repealed, and any park established thereunder, shall be continued under this Act.

APPROVED May 29, 1911.

## PENITENTIARIES.

### STATE PENITENTIARY—OFFICERS AND SALARIES.

§ 1. Amends sections 3, 5, 23 and 34, Act of 1871.

§ 3. As amended, provides for two chaplains.

§ 5. Appointment and terms of officers.

§ 23. Duties of chaplains.

§ 34. Salaries of officers.

(HOUSE BILL NO. 589. APPROVED JUNE 7, 1911.)

AN ACT to amend sections 3, 5, 23 and 34 of an Act entitled, "An Act in relation to the penitentiary at Joliet, to be entitled, 'An Act to provide for the management of the Illinois State Penitentiary at Joliet,'" approved June 16, 1871, in force July 1, 1871, as amended by Act approved June 7, 1897, in force July 1, 1897.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 3, 5, 23 and 34 of an Act



entitled, "An Act in relation to the penitentiary at Joliet, to be entitled, 'An Act to provide for the management of the Illinois State Penitentiary at Joliet,'" approved June 16, 1871, in force July 1, 1871, as amended by an Act approved June 7, 1897, in force July 1, 1897, be and the same are hereby amended so as to read as follows:

§ 3. The officers of said penitentiary shall consist of three (3) commissioners, one (1) warden, one (1) deputy warden, two (2) chaplains, one physician, one (1) steward, one (1) matron, and as many turnkeys and watchmen as the warden and commissioners shall deem necessary.

§ 5. The warden, chaplains and physician shall be appointed by the commissioners, to hold their respective offices for the term of three (3) years, unless sooner removed by said commissioners, and said commissioners are hereby authorized to remove said warden, chaplains or physician, at their discretion.

§ 23. It shall be the duty of each of the chaplains of said penitentiary:

*First*—To perform religious services in the penitentiary under such regulations as the commissioners may prescribe, and to attend to the spiritual wants of the convicts.

*Second*—To visit the convicts in their cells, for the purpose of giving them moral and religious instruction.

*Third*—To furnish, at the expense of the State, a Bible to each convict.

*Fourth*—To take charge of the library and see that no improper books are placed in possession of the convicts, and if any such books are found, either in the cells or in the possession of such convicts, to take away and deliver same to the commissioners; and for the purpose of the proper discharge of these duties, they shall visit weekly each cell in the penitentiary, and the books so taken away from the said convicts shall not be returned to them without the express order of the commissioners.

*Fifth*—To visit daily the sick in the hospital.

*Sixth*—To make an annual report to the commissioners for each year ending the first day of December relative to the religious and moral conduct of the convicts during such year, stating therein what services they have performed and the fruits of their instructions, together with any other facts relative to said convicts they may deem proper to report. It shall be the duty of the chaplains when required by the commissioners, to give instructions in the useful branches of an English education to such convicts, as in the judgment of the warden, may require the same, and be benefited thereby and be entitled thereto by previous good conduct; and such instructions may be given for such length of time daily as said commissioners shall prescribe (Sundays excepted), between the hours of 6 and 9 p. m.

§ 34. The annual salaries of the officers of said penitentiary shall be as follows:

That of the commissioners, each \$1,500.

That of the warden \$5,000.00.

That of the deputy warden, \$2,200.00.

That of the chaplains, each \$1,500.00.

That of the physician, \$2,200.00.

The clerks, steward, matron, assistant matron, assistant keepers and guards, and all other employes of the penitentiary shall be paid such compensation as said commissioners shall direct.

APPROVED June 7, 1911.

## PRACTICE.

### APPEALS, WRITS OF ERROR, ETC.

§ 1. Amends section 81, Act of 1907.

§ 81. Appeal or writ of error without formal exception—bill of exceptions—report of trial—authentication—motions for new trial—notice of appeal, etc., in civil cases—tax of cost for unnecessary parts of record—omissions—proviso.

(HOUSE BILL NO. 255. APPROVED MAY 31, 1911.)

AN ACT to amend section eighty-one of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section eighty-one of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907, be and the same is hereby amended to read as follows:

§ 81. If, during the progress of any trial in any civil or criminal cause, either party shall submit to the court any matter for a ruling thereon and the court shall rule adversely to the party submitting the same, such ruling shall be deemed a matter for review in any court to which the same cause may be thereafter taken upon appeal or by writ of error without formal exception thereto, and after judgment, at any time during the term of the court at which judgment was entered or within such time thereafter as shall, during such term, be fixed by the court, any party desiring to prosecute a writ of error to or appeal from any such judgment, may submit to the court a stenographic report of the trial containing the evidence and the rulings of the court upon all or any of the questions submitted to and ruled upon by the judge thereof, and he shall examine the same, and, if correct, officially certify to the correctness of such report, and the same shall thereupon be filed in said court and become a part of the record in said cause, and all matters and things contained in such stenographic report shall become as effectually a part of said record as if duly certified in a formal bill or bills of exceptions, or if, during the progress of any trial in any civil or criminal

cause, either party shall allege an exception to the opinion of the court, and reduce the same to writing, it shall be the duty of the judge to allow said exception and sign the same, and the said exception shall thereupon become a part of the record of such cause. A bill of exceptions, certificate of evidence, or report of trial allowed in any cause shall be deemed sufficiently authenticated if signed by the judge of the court in which the cause was tried or by the presiding judge thereof, if more than one judge sat at the trial of the cause, without any seal of the court or judge annexed thereto. And in case the judge before whom the cause has heretofore been, or may hereafter be tried, is, by reason of death, sickness, or other disability, unable to hear and pass upon a motion for a new trial in a case at law, and allow and sign a bill of exceptions, certificate of evidence or report of trial, then the judge who succeeds such trial judge, or any other judge of the court in which the cause was tried, holding such court thereafter, if the evidence in such case has been or is taken in stenographic notes, or if the said judge is satisfied by any other means that he can pass upon such motion in a case at law, and allow a true bill of exceptions, certificate of evidence, or report of trial, shall pass upon said motion, in a case at law, and allow and sign such bill of exceptions, certificate of evidence or report of trial; and his ruling upon such motion in a case at law, and allowance and signing such bill of exceptions, certificate of evidence, or report of trial, shall be as valid as if such ruling and allowance and signing had been made by the judge before whom such cause was tried; but in case said judge is satisfied that owing to the fact that he did not preside at the trial, or, for any other cause, he cannot fairly pass upon said motion in a case at law and allow and sign said bill of exceptions, certificate of evidence, or report of trial, then he may, in his discretion, grant a new trial to the party moving therefor.

When a party to any judgment in any cause of a civil nature shall desire to prosecute a writ of error or take an appeal from such judgment, he shall serve upon the opposite party, or his attorney, five days' notice of the time when and place where he will file his praecipe for a record in such cause, together with a copy of such praecipe, and shall file with the clerk of the court to which said writ of error shall be directed, or from which said appeal shall be taken, a praecipe specifying such parts of the record only as shall be necessary to fairly present the errors which he shall assign, requesting said clerk to certify the same to the court of appeals; and, if the opposite party shall desire additional parts of the record certified upon which to assign cross errors or to make more complete the record upon which the appellant or plaintiff in error will assign errors, he shall file an additional praecipe requesting the clerk of said court to certify such additional parts of the record as he shall deem necessary or desirable; and, if either party shall have certified parts of the record unnecessary or irrelevant to a fair consideration of the errors and cross errors assigned upon the record of the trial court, the Supreme or appellate court shall tax the cost thereby unnecessarily occasioned against the party wrongfully having such unnecessary or irrelevant parts

of the record certified to the court of appeal; and, hereafter, if any of the record contained in the bill of exceptions, certificate of evidence or report of trial, shall be unnecessary or irrelevant to a consideration of the errors and cross errors assigned in the court of appeals, the record shall not be deemed defective or insufficient on account of a failure to have the same embraced as a part of such bill of exceptions, certificate of evidence or report of trial, but omissions from the bill of exceptions, certificate of evidence or report of trial shall be indicated by notations within brackets: *Provided*, that if it shall appear to the Supreme or appellate court that the record in any cause is incomplete or insufficient upon which to fairly consider and pass upon the errors or cross errors assigned, such court shall order the clerk of the trial court to certify such additional parts of the record as it shall deem necessary, and such court shall make such order as to the costs resulting therefrom as it shall deem just. Such bill of exceptions may be prepared by any competent reporter.

APPROVED May 31, 1911.

CONTINUANCE—MEMBERS OF GENERAL ASSEMBLY.

§ 1. Amends sections 66 and 67, Act of 1907.

§ 67. As amended, adds proviso.

§ 66. As amended, includes either civil or criminal proceedings.

(HOUSE BILL No. 665. APPROVED JUNE 2, 1911.)

AN ACT to amend section 66 and section 67 of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 66 and section 67 of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907, be amended to read as follows:

§ 66. In all suits or proceedings, either civil or criminal, at law or in equity, pending in any court of this State at any time when the General Assembly is in session, it shall be a sufficient cause for a continuance if it shall appear to the court, by affidavit, that any party applying for such continuance, or any attorney, solicitor or counsel of such party, is a member of either house of the General Assembly, and in actual attendance on the sessions of the same, and that the attendance of such party, attorney, solicitor or counsel, in court, is necessary to a fair and proper trial of such suit; and, on the filing of such affidavit, the court shall continue such suit; and when so continued, no trial or other proceedings shall be had therein until the adjournment of the General Assembly, nor within ten days thereafter. Such affidavit shall be sufficient, if made at any time during the session of the General Assembly, showing at the time of making the same, such party, attorney, solicitor or counsel is in actual attendance upon such session of the General Assembly.



§ 67. The foregoing section shall not apply to cases of application for continuance by reason of the absence of any attorney, or solicitor, or counsel, who shall not have been actually employed in such suit prior to the commencement of such session of the General Assembly, nor to the practice in the Supreme Court: *Provided*, that this section shall not apply to cases commenced after the commencement of such session of the General Assembly.

APPROVED June 2, 1911.

#### NON-RESIDENTS—SERVICE OF PROCESS.

§ 1. Amends section 13, Act of 1907.

§ 13. Provides for service of process on non-residents.

(HOUSE BILL No. 622. APPROVED JUNE 7, 1911.)

AN ACT to amend section thirteen (13) of an Act entitled, "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirteen of "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907, be amended so as to read as follows:

§ 13. Any non-resident person or any co-partnership, the members of which are all non-residents, but having a place or places of business in any county of this State in which suit may be instituted, may be sued by the usual and ordinary name which such person or co-partnership has assumed and under which such person or co-partnership is doing business and service of process may be had in such county upon such person or co-partnership by serving the same upon any agent of such person or co-partnership within this State.

APPROVED June 7, 1911.

#### RAILROADS AND WAREHOUSES.

##### DRINKING INTOXICATING LIQUOR ON PASSENGER CARS, ETC.

§ 1. Drinking intoxicating liquor on passenger cars or about station—intoxicated person—penalties.

§ 3. Refusal or failure of conductors—penalty.

§ 2. Duties and powers of conductors—arrests.

§ 4. Printed notices to be posted by company—penalty.

(HOUSE BILL No. 262. APPROVED MAY 25, 1911.)

AN ACT to provide for the punishment of any person who drinks any intoxicating liquor, or who is intoxicated, in or upon railroad passenger cars in use for the transportation of passengers, or in or about any railroad station or platform, and for conductors to make arrests therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person who shall drink any

intoxicating liquor, or who shall be intoxicated, in or upon any railroad smoking car, parlor car, day coach, interurban car or caboose car, in use for the transportation of passengers, or in or about any railroad station or platform, upon conviction thereof, shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or imprisoned in the county jail for not less than thirty (30) days, nor more than one hundred (100) days, or both such fine and imprisonment.

§ 2. Every railroad conductor, while on duty, is hereby authorized and empowered to exercise in any county of this State, for the purpose of enforcing the provisions of this Act, all the common law and statutory powers conferred upon sheriffs and it is hereby made the duty of all such conductors to enforce the preceding section of this Act, and to arrest without process any person who violates any provision thereof, and in so doing they shall be held to be acting for the State and not as employes of the company. Any person or persons so arrested shall be delivered by such conductor to some judge, justice of the peace, sheriff, constable, or police officer at some station or place within the county in which the offense was committed, for trial, according to law: *Provided*, that if the car on which such arrest is made does not stop within the county within which such offense was committed, then such conductor shall deliver the person so arrested to some sheriff, constable or police officer of the county wherein such car shall first stop after such arrest, who shall deliver the person so arrested to some judge or justice of the peace of the county in which the offense was committed, for trial.

§ 3. Any such railroad conductor, who shall refuse or fail to comply with section two of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than ten dollars (\$10.00), nor more than twenty-five dollars (\$25.00).

§ 4. The several railroad companies in this State shall, without unnecessary delay, cause printed copies of the three preceding sections of this Act to be kept posted in conspicuous places at all their stations along their lines of railroad in this State.

Every railroad company that shall neglect to post, and keep posted, such notices as required by this section, shall for each offense, forfeit the sum of fifty dollars (\$50.00), to be recovered in an action of debt, in the name of the People of the State of Illinois.

APPROVED May 25, 1911.

## EXPRESS BUSINESS REGULATED.

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| § 1. Express companies declared common carriers—jurisdiction.<br>§ 2. Rates of maximum charges—receipt—government and control—joint rates and classifications.<br>§ 3. Schedules of rates, charges, etc., posted in offices—changes—discriminations—penalty.<br>§ 4. Copies of contracts, schedules, etc., filed with commission—complaints—hearings—penalty. | § 5. Complaints of shippers, etc.—hearing—appeal.<br>§ 6. Shipments—advance charges.<br>§ 7. Receipt furnished shipper—items.<br>§ 8. Reports—investigation of books.<br>§ 9. Delivery—territory—penalty.<br>§ 10. Offenses—penalties.<br>§ 11. Suits—documents—evidence.<br>§ 12. Repeal. |
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(HOUSE BILL NO. 577. APPROVED JUNE 9, 1911.)

*AN ACT defining and regulating express companies and carriers by express operating within the State of Illinois, declaring them to be common carriers and placing them under the jurisdiction and control of the Illinois Railroad and Warehouse Commission.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That each and every person, firm, co-partnership, joint stock company, organization or corporation engaged either as owner or as lessee, agent, trustee or receiver, in transporting by rail or water, merchandise, property, parcels, packages, money and other commodities and things between points within the State of Illinois, and commonly known as express companies or carriers by express, shall be deemed and is hereby declared to be an express company or carrier by express and also a common carrier, and as such shall, from and after the passage of this Act, as to the transportation of merchandise, property, parcels, packages, money and other commodities and things between points within the State of Illinois, be placed within the jurisdiction and under the supervision and control of the Railroad and Warehouse Commission as provided in this Act: *Provided*, that this Act shall not apply to railroad companies or steamboat companies engaged in transporting freight.

§ 2. The Railroad and Warehouse Commission (hereinafter called the commission) shall have power to prescribe, promulgate and establish reasonable and just rates or schedules of maximum charges for each kind of property, money, parcels, merchandise, packages and other commodities and things to be charged for and received by express companies or carriers by express as defined in section 1 of this Act, or either of them, either separately or conjointly, connected with the receiving, handling, transporting, storing and delivery of all such property, money, parcels, merchandise, packages and other commodities and things which, by the contract of carriage, are to be transported separately or conjointly by such express companies or carriers by express between points within the State of Illinois, which rates or charges may be changed or modified by said commission from time to time in such manner and to such effect as may become necessary; also to prescribe a form of receipt for each shipment, also a form of receipt for moneys paid for charges for the

transportation of any article or thing, to be given upon receipt, or upon the payment of such charges; and the said commission shall have power to make and prescribe maximum rates and charges, classifications, rules and regulations for the government and control of such express companies or carriers by express. Said commission may also, after hearing, on a complaint or upon its own initiative without complaint, establish through routes and joint rates and classifications, also a division of such rates, to apply as the maximum to or upon shipments over the routes of two or more express companies, or carriers by express between points within the State of Illinois. Whenever such express companies or carriers by express in obedience to an order of said commission to establish joint rates, fares, or charges, shall fail to agree among themselves upon the apportionment or division thereof, the commission may, after hearing, make a supplemental order prescribing the just and reasonable proportion of such joint rates to be received by each party thereto, which order shall take effect as a part of the original order.

§ 3. It shall be the duty of every express company and carrier by express as defined in section 1 of this Act, to print in clear and legible type the schedules of rates and charges for the transportation of such property, money, parcels, merchandise, packages and other commodities and things from every point in this State on its own line to every other point in this State on its own line, or, when in connection with any other express company or carrier by express to every other point of such other express company, or carrier by express, within the State of Illinois where a joint rate has been established, and naming all such points in such schedules, and to post and keep displayed in each office or place of business of such express company or carrier by express, within convenient access and for the inspection and use of the public during customary business hours, such printed schedules of rates and charges and any amendments thereto, and in like manner to post and display any special rules or regulations, also the classification applying which may be promulgated by them or by order of said commission, for the information of shippers, and a printed notice stating that the agent will assist any shipper to determine from such schedules any rate or fare or rule in force; and to quote rates that are lawfully in effect under such schedules, in writing when requested, and be responsible for the correctness of the same: *Provided, however*, that no change in any schedule of rates or charges, or classification shall become effective until it has been filed with the commission, and until after five days shall have elapsed between the date of filing and the time when such rates are to become effective if the rates are to be reduced, and thirty days if the rates are to be advanced: *Provided*, the commission may, in its discretion and for good cause shown, allow changes upon less than the notice herein specified: *And, provided, further*, the commission may, upon complaint or upon its own motion, suspend the taking effect of any such schedule or classification as provided in section 4 of this Act, pending inquiry as to its



correctness or the reasonableness of the rates contained in it. And it shall be unlawful for any such express company or carrier by express to charge, demand, collect or receive a greater or less or different compensation for such transportation of property, money, parcels, merchandise, packages and other commodities and things, or for any service rendered in connection therewith, between points named in its schedules or tariffs, than the rates and charges which are specified in such schedules or tariffs filed and in effect at the time or as may be promulgated, amended or changed by order of the commission, nor shall such express company or carrier by express refund or remit in any manner or by any device any portion of the rate or charge so specified, nor extend to any shipper, person or persons, firms, co-partnerships, joint stock companies or corporations any privilege or facility in receiving, storing, handling or forwarding of property, or otherwise, not granted to another and not specified in such schedules or tariffs: *Provided, however*, nothing herein contained shall be construed to prohibit any express company or carrier by express from carrying or transporting free or at reduced rates the personal property for the personal use of its officers, agents and employes and their families, nor from exchanging such transportation with other express companies and carriers by express for themselves, their officers, agents and employes and their families. Any express company or carrier by express, as defined in section 1 of this Act, or any officer, representative, servant, agent, lessee, trustee or receiver of such express company or carrier by express, knowingly violating any of the provisions of this section shall, upon conviction, be fined in any sum not less than one hundred dollars and not more than five hundred dollars for the first offense; and for the second and each subsequent offense shall be fined in any sum not less than one thousand dollars and not more than five thousand dollars; to be recovered in an action of debt in the name of the People of the State of Illinois and there may be several counts joined in the same declaration. Each distinct violation shall be a separate offense, and in case of a continuing violation, the violation for each day shall be deemed a separate offense.

§ 4. Each and every express company and carrier by express as defined in section 1 of this Act shall file with the commission certified copies of all contracts, or agreements, now existing or hereafter entered into by or between him or it and any other express company or carrier by express or any railroad company or carrier by water operating within the State of Illinois, and shall also file with said commission printed copies of all schedules and charges, tariffs, classifications, rules and regulations, together with any changes or amendments thereto that may be made or promulgated from time to time, also all changes in said schedules, tariffs, classifications, regulations and rules as prescribed and defined in section 3 of this Act.

And it shall be the duty of said commission and it shall have power to take cognizance of all said contracts, agreements, schedules, tariffs, rates, classifications, rules and regulations and in the event of anything

found contained in them or either of them deemed injurious to or inconsistent with the public welfare or which may work to the detriment of the public, communities or individuals, the commission shall cause the same to be immediately inquired into, either upon complaint or upon its own motion and initiative without complaint, as may be deemed proper by said commission, and it may suspend for a period of not more than four months, pending inquiry, the taking effect of any such classification, schedule of rates, charges, tariffs, agreements, rules or regulations. The express company or carrier by express affected shall be forthwith notified and a full hearing of the cause had promptly, as in other proceedings before the commission, and all interested express companies or carriers by express and other persons interested may be made parties. If the commission is of the opinion after such hearing and investigation that the schedules of rates, charges, tariffs, agreements or classification as filed or published, or the privileges, facilities and regulations published in connection therewith are unjust or unreasonable or otherwise discriminatory or prejudicial, or in violation of law, it shall determine what is and will be reasonable and just and shall prescribe the same, and shall order such express company or carrier by express to file with said commission and publish on or before a certain day, to take effect on a certain day, schedules of charges, classification, tariffs, rules or regulations in accordance with the findings and decision of the commission.

Any express company or carrier by express as defined by section 1 of this Act, or any officer, representative, servant, agent, lessee, trustee or receiver of such express company or carrier by express, knowingly failing or neglecting to obey any order made under the provisions of this section shall be fined in any sum not exceeding one thousand dollars for each offense, to be recovered in an action of debt in the name of the People of the State of Illinois, and there may be several counts joined in the same declaration. Each distinct violation shall be a separate offense, and in case of a continuing violation, the violation for each day shall be deemed a separate offense.

§ 5. Any shipper, or any shippers' or other commercial organization or association, or any person, firm, co-partnership, joint stock company or corporation may file complaint with said commission against any such express company or carrier by express, wherein it may be claimed an unjust charge has been made for the transportation of property, merchandise, parcels, packages, money or other commodity or things, in such manner and form as the commission may prescribe. And it shall be the duty of the commission to take cognizance of such complaints and to proceed with a hearing, after due notification to the express company or carrier by express so complained of, in such manner as it may prescribe by its rules of practice. At such hearing or hearings before the commission, copies of contracts, agreements, tariffs, schedules of charges, rules and regulations and classifications that may have been filed with the commission by such express company or carrier by express, shall be considered *prima facie* evidence of what they purport to be. Any person or party interested shall have the right of appeal from the order or deci-

sion of the commission to a court of competent jurisdiction but the order or decision of the commission shall prevail pending such appeal and the decision of the court unless enjoined or set aside by the court.

§ 6. Each and every express company or carrier by express as herein defined, shall at all convenient times during business hours accept and receive for prompt shipment to points on its own line, or to points on the lines of other express companies or carriers by express operating within the State of Illinois, all property, parcels, money, merchandise, packages and other commodities and things which may be offered to it or them or either of them for transportation by express by the public: *Provided*, that the payment of charges may be demanded and received in advance of such forwarding or transportation, not in excess of the rates of charges shown in the tariffs or schedules and classification provided for in this Act: *Provided, however*, that no article which such express company or carrier by express does not hold himself or itself out to carry or which may be declared under such schedules, tariffs, rules or regulation or classification as being of excessive bulk or weight, or a menace to the health or the safety of the public, or otherwise prohibited by law, shall be required to be accepted by any such express companies or carriers by express.

§ 7. Upon demand of a shipper each receiving or forwarding express company or carrier by express shall be required to furnish a receipt or other evidence in writing, in such form as may be prescribed by or approved of by said commission, stating the quantity, character, weight, order and condition of goods or articles tendered for shipment, and said express companies or carriers by express shall in like manner execute and furnish upon demand a receipt for the charges paid on any shipment, which shall cover substantially the following items: Date; date of shipment; name of consignor; name of connecting line or express company or carrier by express; name or description of each article or package covered by or in such receipt; the graduate scale or rate employed in making the rate or charge on such article or package, separately: The amount of charges on each article or package: The amount of advanced charges (if any): The sum total of charges to be paid by the consignee. And any such express company and carrier by express is hereby prohibited from including in any such receipt for shipments to be made any restriction or evasion of the common law liability of such carrier.

§ 8. The said commission shall have authority to call upon such express companies or carriers by express for reports, and to investigate their books in the same manner as may be provided by law for the regulation of railroad companies, which reports shall be furnished to such commission on demand. All laws, rules and regulations made and prescribed for the government of railroads, in so far as they are or may be applicable, shall be of equal force against all such express companies or carriers by express.

§ 9. The Railroad and Warehouse Commission may upon complaint or its own initiative, after notice to the express companies or carriers by express affected, fix and determine the territory in any city or village in



this State having a population of 2,500 or more inhabitants according to the last preceding United States census within which territory such express companies and carriers by express shall thereafter deliver all merchandise, property, parcels, packages, money and other commodities and things transported by them to all consignees within such territory at the place of address as directed on the package, parcel, commodity or thing transported and thereafter all such express companies and carriers by express shall deliver all merchandise, property, parcels, packages, money and other commodities and things transported by them, and each of them, to all consignees within such territory, at the place of address as directed on the package, parcel, commodity or thing transported. Any such express company or carrier by express, or any officer, representative, servant, agent, lessee, trustee or receiver of such express company or carrier by express, who knowingly violates any of the provisions of this section shall be fined in any sum not more than one hundred dollars, to be recovered in an action of debt in the name of the People of the State of Illinois.

§ 10. Any express company or carrier by express as defined in section one of this Act, or any officer, representative, servant, agent, lessee, trustee or receiver of such express company or carrier by express, who shall willfully do, cause to be done or permit to be done, any act, matter or thing in this Act prohibited or declared to be unlawful or shall willfully neglect or omit to do any act, matter or thing required by this Act to be done by him or it, the punishment for which is not hereinabove expressly provided for, shall be guilty of a misdemeanor and upon conviction for the first offense be fined in any sum not less than one hundred dollars nor more than five hundred dollars and for any subsequent offense be fined not less than five hundred dollars and not more than one thousand dollars, and be confined in the county jail not more than ninety days. Every distinct violation shall be a separate offense and in case of a continuing violation, the violation for each day shall be deemed a separate offense.

§ 11. In all suits, civil or criminal, arising under the provisions of this Act where any document, file, record, memorandum, book, schedule, tariff, or paper in the custody of the commission may be material or competent as evidence, then such document, file, record, memorandum, book, schedule, tariff, or paper may be proved by a copy thereof duly certified under the hand of the secretary of the commission with the seal of the commission affixed thereto.

§ 12. All Acts and parts of Acts in conflict with this Act are hereby repealed.

APPROVED June 9, 1911.



## INCORPORATION—RENEWAL AND EXTENSION.

§ 1. Amends section 5, Act of 1891.

§ 5. Limit of charter—renewal—certificate of proceedings—proviso.

(SENATE BILL NO. 461. APPROVED JUNE 7, 1911.)

AN ACT to amend section 5 of "*An Act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same; for prescribing and defining the duties and limiting the powers of such corporations when so organized; and authorizing the same and all railroad companies of this State to own and hold the stock and securities of railroad companies of other states owning connecting lines, as amended by Act approved June 2, 1891, in force July 1, 1891,*" by providing for the extension of the term thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 5 of "*An Act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same; for prescribing and defining the duties and limiting the powers of such corporations when so organized; and authorizing the same and all railroad companies of this State to own and hold the stock and securities of railroad companies of other states owning connecting lines,*" as amended by Act approved June 2, 1891, in force July 1, 1891, be and the same is hereby amended to read as follows:

§ 5. No such corporation shall be formed to continue more than fifty years in the first instance, but any railroad company formed under any law of the State may be renewed from time to time, for periods not longer than fifty years: *Provided*, that three-fourths of the votes cast at any regular election for that purpose shall be in favor of such renewal, and those desiring a renewal shall agree to purchase the stock of those opposed thereto at its current value.

Whenever any such election is held by any railroad company, a certificate, showing the proceedings of the meeting and verified by the president or a vice president of the corporation and the secretary thereof, with the seal of the corporation, shall be filed with the Secretary of State within thirty days after the meeting, and upon the filing of such certificate the duration of such corporation shall thereby be extended, in accordance with the vote of the stockholders, for an additional period not longer than fifty years: *Provided*, in case where such renewal is of any railroad company previously incorporated under a special Act of the Legislature, then such renewal and extension of such company shall be under and subject to all the provisions of the general laws of this State relating to railroads, and such company shall have such powers only as provided for in this Act.

APPROVED June 7, 1911.

## RAILROAD AND WAREHOUSE COMMISSION—REVISION.

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| <p>§ 1. Amends sections 2, 4, 5, 6, 7, 8, 10, 11, 11½, 13, 16, 17, 18, and 19, and adds sections 20-36, Act of 1871.</p> <p>§ 2. Qualifications.</p> <p>§ 4. Compensation—secretary—office—moneys, how drawn.</p> <p>§ 5. Right to pass on trains, etc.</p> <p>§ 6. Report of railroads and other carriers.</p> <p>§ 7. Additional inquiries.</p> <p>§ 8. Applies to officers of every common carrier.</p> <p>§ 10. Report by commissioners—examination.</p> <p>§ 11. Examinations of common carriers and warehouses—suits.</p> <p>§ 11½. When board to investigate cause of accident to person or property—bridge, etc., out of repair—mandamus—proceedings of Attorney General.</p> <p>§ 13. Power to examine books, etc.</p> <p>§ 16. Penalty against common carriers, owners of warehouses, etc.</p> <p>§ 17. Attorney General and State's attorney to prosecute suits.</p> <p>§ 18. In name of People—pay—<i>qui tam</i> actions.</p> <p>§ 19. Rights of individuals saved.</p> | <p>§ 20. Jurisdiction over all common carriers.</p> <p>§ 21. Term "common carrier" defined.</p> <p>§ 22. Term "railroad" defined.</p> <p>§ 23. Term "transportation" defined.</p> <p>§ 24. Furnishing of transportation.</p> <p>§ 25. Short and long hauls—compensation.</p> <p>§ 26. Interstate transfers—joint rates, fares.</p> <p>§ 27. Joint and through rates—classification.</p> <p>§ 28. Rates and charges.</p> <p>§ 29. Physical connections between railroads—switching rules and rates.</p> <p>§ 30. Business management of common carriers.</p> <p>§ 31. Hearings and findings.</p> <p>§ 32. Schedule of maximum rates, etc.</p> <p>§ 33. Penalty.</p> <p>§ 34. Actions in the name of the People—prosecutions by Attorney General.</p> <p>§ 35. Appeals to circuit court of Sangamon county.</p> <p>§ 36. Repeal.</p> |
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(HOUSE BILL NO. 616. APPROVED JUNE 10, 1911.)

AN ACT to amend sections 2, 4, 5, 6, 7, 8, 10, 11, 11½, 13, 16, 17, 18 and 19 of an Act entitled, "An Act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871, and also by adding to said Act new sections numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 2, 4, 5, 6, 7, 8, 10, 11, 11½, 13, 16, 17, 18 and 19 of an Act entitled, "An Act to establish a Board of Railroad and Warehouse Commissioners and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871, be amended to read as follows, and also by adding to said Act new sections numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

§ 2. No person shall be appointed as such commissioner who is at the time of his appointment in any way connected with any railroad company, other common carrier or warehouse or who is directly or indirectly interested in any stock, bond or other property of, or is in the employment of any railroad company, other common carrier or warehouseman; and no person appointed as such commissioner shall, during the term of his office, become interested in any stock, bond or other property of any railroad company, other common carrier or warehouse, or in any manner be employed by or connected with any railroad company, other common carrier or warehouseman. The Governor shall have power to remove such commissioner at any time in his discretion.

§ 4. The chairman of said commission shall receive for his services the sum of six thousand dollars (\$6,000) per annum, and each of the other commissioners shall receive for his services the sum of four thousand dollars (\$4,000) per annum payable monthly. They shall be furnished with an office, office furniture and stationery at the expense of the State, and shall have power to appoint a secretary to perform such duties as they shall assign him. Said secretary shall receive for his services the sum of thirty-five hundred dollars (\$3,500) per annum, payable monthly. And they shall have power to appoint such other persons and employes as are necessary for the proper discharge of the duties of said commission. The office of said commission shall be in the Capitol Building in the city of Springfield. And all moneys appropriated for said commission and sums authorized to be paid out by this Act by said commission, shall be paid out of the State treasury only upon the order of the chairman of said commission, and approved by the Governor.

§ 5. Said commissioners and such employes as they may designate, shall have the right of passing in the performance of their respective duties, over all railroads and upon all railroad trains in this State, and over, upon or in all instrumentalities used by any common carrier in the transportation of persons or property between points wholly within the State of Illinois.

§ 6. Every railroad company or other common carrier incorporated or doing business in this State, or which shall hereafter become incorporated or do business under any general or special law of the State, shall, on or before the thirtieth day of September, in the year of our Lord 1911, and on or before the same day each year thereafter, make and transmit to the commissioners appointed by virtue of this Act, at their office in Springfield, a full and true statement, under oath, of the proper officers of said corporation, of the affairs of the said corporation, as the same existed on the first day of the preceding July, specifying—

*First*—The names of the owners of its stock, and the amount owned by them, respectively, and the residence of each stockholder so far as known.

*Second*—The amount of its assets and liabilities.

*Third*—The names and place of residence of its officers.

*Fourth*—The amount of funded debt.

*Fifth*—The amount of floating debt.

*Sixth*—The estimated value of the roadbed, including iron and bridges.

*Seventh*—The estimated value of rolling stock.

*Eighth*—The estimated value of stations, buildings and fixtures.

*Ninth*—The estimated value of other property.

*Tenth*—The length of single main track.

*Eleventh*—The length of double main track.

*Twelfth*—The length of branches, stating whether they have single or double track.

*Thirteenth*—The aggregate length of siding and other tracks not above enumerated.

*Fourteenth*—The number of miles run by passenger trains during the year preceding the making of the report.

*Fifteenth*—The number of miles run by freight trains during the same period.

*Sixteenth*—The number of tons of through freight carried during the same time.

*Seventeenth*—The number of tons of local freight carried during the same time.

*Eighteenth*—The amount of expenses incurred in the running and management of passenger trains during the same time.

*Nineteenth*—The amount of expenses incurred in the running and management of freight trains during the same time; also the amount of expense incurred in the running and management of mixed trains during the same time.

*Twentieth*—All other expenses incurred in the running and management of the road during the same time, including the salaries of officers, which shall be reported separately.

*Twenty-first*—The amount expended for repairs of road and maintenance of way, including repairs and renewal of bridges and renewal of iron.

*Twenty-second*—The amount expended for improvement, and whether the same is estimated as a part of the expenses of operating or repairing the road, and, if either, which.

*Twenty-third*—The amount expended for motive power and cars.

*Twenty-fourth*—The amount expended for station houses, buildings and fixtures.

*Twenty-fifth*—All other expenses for the maintenance of way.

*Twenty-sixth*—All other expenditures, either for management of road, maintenance of way, motive power and cars, or for other purposes.

*Twenty-seventh*—The rate of fare for passengers during same time, through and way passengers separately.

*Twenty-eighth*—The tariff of freights, showing each change of tariff during the same time, copies of such tariffs to be filed with the commission at date of issue.

*Twenty-ninth*—A copy of each published rate of fare for passengers and tariff of freight, in force or issued for the government of its agents during the same time, copies of such tariffs to be filed with the commission at date of issue.



*Thirtieth*—Whether the rate of fare and tariff of freight in such published lists are the same as those actually received by the company during the same time; if not, what were received.

*Thirty-first*—What express companies run on its roads, and on what terms and on what conditions; the kind of business done by them, and whether they take their freights at the depots or at the office of such express companies.

*Thirty-second*—What freight and transportation companies run on its road, and on what terms.

*Thirty-third*—Whether such freight and transportation companies use the cars of the road or the cars furnished by themselves.

*Thirty-fourth*—Whether the freight cars of such companies are given any preference in speed or order of transportation, and if so, in what particular.

*Thirty-fifth*—What running arrangements it has with other railroad companies, setting forth the contracts for the same.

§ 7. The said commissioners may make and propound to such common carriers any additional interrogatives, requiring information necessary to the proper discharge of the duties of the commission arising under this Act, which shall be answered by such companies in the same manner as those specified in the foregoing section.

§ 8. Sections 6 and 7 of this Act shall apply to the president, directors and officers of every common carrier now existing or which shall be incorporated or organized in this State, and to every lessee, manager and operator of any common carrier within the State.

§ 10. Such commissioners shall, on or before the first day of December of each year, or oftener if required by the Governor to do so, make a report to the Governor of their doings for the preceding year, containing such facts, statements and explanations as will disclose the actual workings of the system of transportation of persons or property by common carriers within this State and of the warehouse business in their bearings upon the business and prosperity of the people of the State and such suggestions in relation thereto as to them may seem appropriate, and particularly *first*, whether in their judgment the railroads can be classified in regard to rate of fare and freight to be charged upon them, and if so, in what manner; *second*, whether a classification of freight can also be made, and if so, in what manner. They shall also, at such times as the Governor shall direct, examine any particular subject connected with the condition and management of such railroads, other common carriers and warehouses, and report to him in writing their opinion thereon with their reasons therefor.

§ 11. Said commissioners shall examine into the conditions and management, and all other matters concerning the business of railroads, other common carriers and warehouses in this State so far as the same pertains to the relation of such roads, other common carriers and warehouses to the public and to the accommodation and security of persons doing business therewith, and whether such railroad companies, other common carriers and warehouses, their officers, directors, managers,

lessees, agents and employés, comply with the laws of this State now in force, or which shall hereafter be in force concerning them. And whenever it shall come to their knowledge, either upon complaint or otherwise, or they shall have reason to believe that any such law or laws have been or are being violated, they shall prosecute or cause to be prosecuted all corporations or persons guilty of such violation.

§ 11½. It shall be the duty of said board of commissioners to investigate the cause of any accident on any railroad resulting in the loss of life or injury to person or persons, or property which in their judgment shall require investigation, and report the same in the annual report of said commissioners; and shall, from time to time, if in their judgment it is advisable and at any time upon request of the Governor, make complete report to him upon all such accidents. And it is hereby made the duty of the general superintendent or manager of each railroad doing business in this State to inform said board of any such accident immediately after its occurrence. Whenever it shall come to the knowledge of said board, by complaint or otherwise, that any railroad bridge or trestle, or any portion of the track of any railroad in this State is out of repair, or is in an unsafe condition, it shall be the duty of such board to investigate, or cause an investigation to be made of the condition of such railroad bridge, trestle or tracks, and may employ such person or persons who may be civil engineer or engineers, as they shall deem necessary for the purpose of making such investigation, and whenever in the judgment of said board, after such investigation, it shall become necessary to rebuild such bridge, track or trestle, or repair the same, the said board shall give notice and information in writing to the corporation of the improvements and changes which they may deem to be proper. And shall recommend to the corporation or person or persons owning or operating such railroad, that it, or he, or they, make such repairs, changes or improvements, or rebuild such bridge or bridges on such railroad, as the board shall deem necessary to the safety of persons and property being transported thereon. And said board shall give such corporation or person or persons owning or operating said railroad an opportunity for a full and fair hearing on the subject of such investigation and recommendation. And said board shall, after having given such corporation or person or persons operating such railroad an opportunity for a full hearing thereon, if such corporation or person shall not satisfy said board that no action is required to be taken by it or them, fix a time within which said changes or repairs shall be made, or such bridges, tracks or culverts shall be rebuilt, which time the board may extend. It shall be the duty of the corporation, person, or persons, owning or operating said railroad to comply with such recommendations of said board as are just and reasonable. And the Supreme Court or the circuit court in any circuit in which said railroad may be in part situated, shall have power in all cases of such recommendations by said board, to compel compliance therewith by mandamus. If any such corporation or person or persons owning or operating any such railroad shall, after such hear-

ing, neglect or refuse to comply with the recommendation or recommendations of said board as to making any repairs, changes or improvements on any bridge, track or trestle, or to rebuild any bridge within the time fixed by said board therefor, said board shall report such neglect or refusal, together with the facts in such case, touching the necessity for such repairs, changes or rebuilding to the Attorney General of the State of Illinois, who shall thereupon take such action as may be necessary to secure compliance with such recommendations of said board. In all actions or proceedings brought by the Attorney General to compel compliance with the recommendations of the board, the findings of the board shall be *prima facie* evidence of the facts therein stated, and the recommendation of the board shall be deemed *prima facie* just and reasonable. Nothing herein contained shall impair the legal liability of any railroad company for the consequence of its acts. And all existing remedies therefor are hereby saved to the people and to individuals.

§ 13. The property, books, records, accounts, papers and proceedings of all such railroad companies, other common carriers and all public warehousemen, shall at all times, during business hours, be subject to the examination and inspection of such commissioners, and they shall have power to examine, under oath or affirmation, any and all directors, officers, managers, agents and employés of any such railroad corporation, or other common carrier, and any and all owners, managers, lessees, agents and employés of such public warehouses and other persons, concerning any matter relating to the condition and management of such business. The commissioners, or any of them, in the performance of their official duties, or any person specially delegated by the commission for that purpose, may enter and remain during business hours in the cars, offices, depots and upon the railroads or in vessels, or in or upon any of the instrumentalities used by common carriers in and about the transportation of persons or property between points wholly within the State of Illinois and may examine the books and affairs of such common carrier and in all proceedings before the commission under a complaint duly filed, or upon a proceeding begun by the commission upon their own motion, the commission shall have power to require by subpoena the attendance and the testimony of witnesses and the production of all books, papers, tariffs, contracts, agreements and documents relating in any matter embraced within such complaint or proceedings. Information so obtained shall not be admitted in evidence or used in any other proceeding.

§ 16. Every railroad company or other common carrier and every officer, agent or employé of any railroad company or other common carrier, and every owner, lessee, manager or employé of any warehouse, who shall willfully neglect to make and furnish any report required in this Act at the time required, or who shall willfully and unlawfully hinder, delay or obstruct said commissioners in the discharge of the duties hereby imposed upon them, shall forfeit and pay a sum of not less than \$100 nor more than \$5,000 for each offense, to be recovered



in an action of debt in the name and for the use of the People of the State of Illinois; and every railroad company or other common carrier, and every officer, agent or employé of any such railroad company, or other common carrier, and every owner, lessee, manager, or agent or employé of any public warehouse, shall be liable to a like penalty for every period of ten days it or he shall willfully neglect or refuse to make such report.

§ 17. It shall be the duty of the Attorney General and the State's attorney in any county, on the request of said commissioners, to institute and prosecute any and all suits and proceeding[s] which they or either of them shall be directed by said commissioners to institute and prosecute for a violation of this Act, or of any law of this State concerning railroad companies, other common carriers, or warehouses, the officers, employés, owners, operators or agents of any such companies, common carriers, or warehouses.

§ 18. All such prosecutions shall be in the name of the People of the State of Illinois, and all moneys arising therefrom shall be paid into the State treasury by the sheriff or other officer collecting the same; and the State's attorney shall be entitled to receive for his compensation, from the State Treasurer on bills to be approved by the chairman of the commission and by the Governor, a sum not exceeding 10 per cent of the amount received and paid into the State treasury as aforesaid: *Provided*, this Act shall not be construed so as to prevent any person from prosecuting any *qui tam* action as authorized by law and of receiving such part of the amount recovered in such action as is or may be provided under any law of this State.

§ 19. This Act shall not be so construed as to waive or affect the right of any person, injured by the violation of any law in regard to railroad companies, other common carriers or warehouses, from prosecuting for his private damages in any manner allowed by law.

§ 20. Said Railroad and Warehouse Commission is hereby given jurisdiction over all common carriers within this State.

§ 21. The term "common carrier" used in this Act includes all railroad corporations, express companies, steamboat lines or other common carriers by water, private car line companies, sleeping car companies, fast freight line companies, and shall also include every other corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, operating or managing any such agency for public use in the conveyance of person[s] or property within this State: *Provided*, teaming companies shall not be included within the definition herein stated: *And, provided, further*, that street railroads and hack lines and vehicles of a like character shall not be included within the terms of this section.

§ 22. The term "railroad" used in this Act includes every railroad, other than a street railroad, by whatsoever power operated for public use in the conveyance of persons or property for compensation, with all bridges, ferries, tunnels, equipment, switches, spurs, tracks, depots and



power stations, and terminal facilities of every kind used or operated by any such railroad; and also all passenger or freight depots, yards, docks and grounds used by any railroad in the transportation of passengers or property. This section shall not be construed to in any way affect or repeal an Act in relation to the crossing of one railroad by another, approved May 25, 1907, and in force July 1, 1907.

§ 23. The term "transportation" shall include cars and other vehicles and all instrumentalities and facilities of shipment or carriage, irrespective of ownership or of any contract, expressed or implied, for the use thereof, and all service in connection with the receipt, delivery and transfer in transit, refrigeration or icing, storage and handling of property transported.

§ 24. It shall be the duty of every common carrier, subject to the provisions of this Act, to provide and furnish such transportation at reasonable rates upon an order made by the Railroad and Warehouse Commission, upon proper application and proper showing of the necessity therefor, upon a hearing before said commission.

§ 25. That it shall be unlawful for any common carrier subject to the provisions of this Act, to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of like kind of property, for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through route than the aggregate of the intermediate rates subject to the provisions of this Act; but this shall not be construed as authorizing any common carrier within the terms of this Act to charge or receive as great compensation for a shorter as for a longer distance: *Provided, however,* that upon application to the Railroad and Warehouse Commission, such common carrier may, in special cases, after investigation, be authorized by the commission to charge less for longer than for shorter distances for the transportation of passengers or property; and the commission may, from time to time, prescribe the extent to which such designated common carrier may be relieved from the operation of this section: *Provided, further,* that no rates or charges lawfully existing at the time of the passage of this Act shall be required to be changed by reason of the provisions of this section prior to the expiration of six months after the passage of this Act, nor in any case where application shall have been filed before the commission, in accordance with the provisions of this section, until a determination of such application by the commission.

§ 26. Every common carrier engaged in transportation of persons or property between points wholly within the State of Illinois, is required to afford all reasonable, proper and equal facilities for the interchange of passengers and property traffic between the lines owned, operated, controlled or leased by it and the lines of every other common carrier, and for the prompt transfer of passengers and for the prompt receipt and forwarding of property to and from its said lines; and no

common carrier shall in any manner discriminate in respect to rates, fares or charges or in respect to any service, or in respect to any charges or facilities for any such transfer in receiving or forwarding between any two or more other common carriers or between passengers or property destined to points upon the lines of any two or more other common carriers or in any respect with reference to passengers or property transferred or received from any two or more other common carriers. Every common carrier, as such, is required to receive from every other common carrier, at a connecting point, freight cars of proper standard and equipment, and haul the same through to destination, if the destination be upon a line owned, operated or controlled by such common carrier, or if the destination be upon the line of some other common carrier, to haul any car so delivered through to the connecting point upon the line owned, operated, controlled or leased by it, by way of route over which car is billed, and there to deliver the same to the next connecting carrier. Nothing in this section shall be construed as in any wise limiting or modifying the duty of a common carrier to establish joint rates, fares and charges for the transportation of passengers and property over the lines owned, operated, controlled and leased by it and the lines of other common carriers, nor as in any manner limiting or modifying the power of the commission to require the establishment of such joint rates, fares and charges. But this shall not be construed as requiring any common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business.

§ 27. The commission is hereby given power and authority after hearing upon a complaint, or upon its own initiative without complaint, to establish joint classifications and may establish through rates and joint rates as the maximum to be charged by all common carriers, for the transportation of persons or property between points wholly within the State of Illinois, and may prescribe the division of such rates and the terms and conditions under which such through rates and joint rates shall be operated, whenever the carriers themselves shall have refused or neglected to establish voluntarily such through rates and joint classification or joint rates, and this provision shall apply when one of the connecting carriers is a water line: *Provided*, that upon such hearing the commission shall find that such through rate and joint classification or joint rate is necessary for the accommodation of the public, and will not give to one carrier an unfair or unequal advantage over another: *Provided*, the shipper shall have the right to route his freight whenever through rates shall have been established either by the commission or the railroad.

§ 28. The commission are hereby authorized and empowered to fix and establish rates, rules and regulations regarding demurrage, storage and all other charges incident to the transportation of property between points wholly within the State of Illinois.

§ 29. The commission shall have power and is hereby authorized to compel physical connections between railroad companies and to fix and

establish reasonable switching rules and regulations, and establish reasonable limits for said switching and reasonable rates therefor. The term "switching" as used in this section shall not comprehend the transfer of [or] hauling of cars from one railroad to another over the lines of an intermediate carrier.

§ 30. The commission shall have power and authority to inquire into the business management of all common carriers, their passenger and freight rates, distribution of cars, granting of sidings, location of passenger and freight stations, use of and compensation for cars owned or controlled by them, the relations of such carriers to the public; and of the public and public corporations to common carriers; the interrelation between such common carriers, in so far as any such subject so to be inquired into shall affect or have any bearing upon the transportation of persons or property between points wholly within the State of Illinois; it shall have power and authority to receive complaints from shippers for loss or damage to property in the hands of common carriers and make inquiry as to methods and manner of adjustment of said claims; and the commission shall have power to make and enforce such orders as will secure the safety and accommodation of persons and property being transported by common carriers and as will prevent unnecessary or unreasonable obstruction to or interference with the tracks, yards, locomotives and cars of common carriers.

§ 31. The commission are hereby empowered and authorized to hear and determine all questions arising under this Act, upon giving due notice to all persons, individuals or corporations interested therein, and to enter an order in relation thereto.

§ 32. The Railroad and Warehouse Commissioners are hereby directed to make for each of the common carriers doing business in this State, as soon as practicable, upon giving due notice to all parties interested therein, and after a hearing in relation thereto, a schedule of reasonable maximum rates or charges, classification, rules and regulations, for the transportation of persons or property on or by each of said common carriers, between points wholly within this State; and said schedule shall in all suits brought against such common carriers, wherein is in any way involved the charges of any such common carrier for the transportation of any person or property, or unjust discrimination, shall be deemed and taken in all courts of this State as *prima facie* evidence that the rates therein affixed are reasonable maximum rates and charges for the transportation of persons and property upon the common carriers for which said schedules may have been respectively prepared. Said commissioners may, from time to time, as often as circumstances require, change and revise said schedules. It shall be proper for said commissioners, either upon their own initiative or upon complaint, to enter upon a hearing for the purpose of investigating the necessity of any such revision. When any schedule shall have been made or revised as aforesaid, it shall be the duty of said commissioners to have the same printed by the State printer, under the contract governing State printing, and said commissioners shall furnish two copies of said printed schedule



to the president, general manager, general superintendent or receiver of each common carrier doing business in this State. All such schedules heretofore or hereafter made shall be received and held in all suits as *prima facie*, the schedules of said commissioners without further proof than the production of the schedules desired to be used as evidence with a certificate of the Railroad and Warehouse Commissioners that the same is a true copy of a schedule prepared by them for the carrier therein named. And every such common carrier so receiving any such schedule from said Railroad and Warehouse Commissioners, shall cause same to be plainly printed and copies for the use of the public shall be kept in every depot, station or office of such carrier where passengers or property, respectively, are received for transportation, in such form that they shall be accessible to the public and can be conveniently inspected. Such schedules shall include and contain not only the rates, fares or charges to be charged, collected or received for the transportation of persons or property between points wholly within the State of Illinois, but also shall state separately all terminal charges, storage charges, icing charges or other charges which said Railroad and Warehouse Commissioners may require, or privileges or facilities granted or allowed and any rules or regulations which in any wise change, affect or determine any part or the aggregate of such aforesaid rates, fares or charges of the value of the services rendered to the passenger, shipper or consignee: *Provided*, nothing in this section or Act shall be construed to repeal an Act to establish and regulate the maximum rate of charges for the transportation of passengers by corporations or companies operating and controlling railroads in part or in whole in this State and to provide penalties for the violation of the provisions thereof, and repealing all Acts and parts of Acts in conflict therewith, approved May 27, 1907, in force July 1, 1907.

§ 33. Any railroad company or other common carrier or warehouseman, or any of their executive officers, who unlawfully neglect or refuse or fail to obey any order made by this commission and to carry the same into effect, in accordance with the terms of such order, shall be liable to a fine of not less than \$100.00 nor more than \$500.00 for failure to obey such order, writ, process or decree of said commission, such fine to be recovered in an action of debt in the name of the People of the State of Illinois, before any court of competent jurisdiction. Such fine, when so recovered, to be paid into the treasury of the State of Illinois.

§ 34. All actions or proceedings instituted by the Railroad and Warehouse Commission shall be brought in the name of the People of the State of Illinois, and shall be prosecuted by the Attorney General.

§ 35. Any party to any proceedings before this commission, or any party affected by any order thereof, may appeal to the circuit court of Sangamon county at any time within twenty days after service of a copy of such order on the parties of record in said proceedings. The party taking such an appeal shall file with the secretary of said commission at



the office of said commission in Springfield, Illinois, written notice of said appeal. The commission, upon the filing of such notice of appeal, shall, within five days thereafter, file with the clerk of said circuit court of Sangamon county, Illinois, a certified copy of the pleadings and order appealed from. The party serving such notice of appeal shall, within five days after the service of said notice upon said commission, file a copy of said notice with proof of service with the clerk of said court to which such appeal is taken, and thereupon said circuit court shall have jurisdiction over said appeal and the same shall be entered upon the records of said circuit court and shall be tried therein according to the rules relating to the trial of chancery suits so far as the same are applicable. The Railroad and Warehouse Commission shall be designated as complainant in said circuit court, and the common carrier or warehouseman as defendant; no further pleadings than those already filed before the commission shall be necessary. Such order made by said commission shall be *prima facie* evidence of the matters therein stated, and the order shall be *prima facie* reasonable, and the burden of proof upon all issues raised by the appeal, shall be on the appellant. If said court shall determine that the order appealed from is lawful and reasonable, it shall be affirmed and the order enforced as provided by law; otherwise, it shall be vacated and set aside. If an appeal is not taken, such order shall become final and it shall thereupon be the duty of the carrier or warehouseman affected to comply therewith. All orders from which no appeal is taken, as provided by law, shall be deemed to be in full force and effect for all purposes from the time when the right to appeal from such order expires. When no appeal is taken from an order, as herein provided, parties affected by such order shall be deemed to have waived the right to have the merits of said controversy reviewed by a court and there shall be no trial of the merits of or re-examination of the facts of any controversy in which such order was made by any court to which application may be made for a writ to enforce the same. Appeals from all final orders and judgments entered in review by the said circuit court of the action of the commission, shall go directly to the Supreme Court, and shall be governed by the rules applying to chancery cases appealed to said Supreme Court.

§ 36. All Acts and parts of Acts in conflict herewith are hereby repealed.

APPROVED June 10, 1911.

ST. LOUIS, PEORIA AND NORTHWESTERN—DRAWBRIDGE.

§ 1. Authorizes railroad bridge to be constructed, etc., over Illinois river—approval of plans.

(SENATE BILL NO. 265. APPROVED APRIL 7, 1911.)

AN ACT giving the authority of the General Assembly of the State of Illinois for the construction of a drawbridge across the Illinois river.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the authority of the General

Assembly is hereby given for the construction, maintenance and operation of a railroad bridge by the St. Louis, Peoria and Northwestern Railway Company across the Illinois river in section nine (9), township twenty-four (24) north, range five (5) west, and section twenty-six (26) or twenty-seven (27), township seven (7) north, range seven (7) east, provided with a suitable draw span or its equivalent, for the accommodation of navigation; said bridge and said draw span or its equivalent to be constructed in accordance with plans to be submitted to and approved by the Chief of Engineers, and the Secretary of War of the United States.

APPROVED April 7, 1911.

ST. LOUIS, PEORIA AND NORTHWESTERN—RIGHT OF WAY.

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| § 1. Grants right of way over land of General Hospital for Insane. | § 2. Payment of \$4,800. |
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(SENATE BILL NO. 266. APPROVED APRIL 7, 1911.)

AN ACT giving the consent of the General Assembly of the State of Illinois for the use and appropriation by the St. Louis, Peoria and Northwestern Railway Company of a railroad right of way over certain lands heretofore conveyed to the State of Illinois for the use of the General Hospital for the Insane, a benevolent institution of the State, at South Bartonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the consent of the General Assembly is hereby given for the use and appropriation by the St. Louis, Peoria and Northwestern Railway Company, for railroad right of way purposes, of a strip of land two hundred (200) feet in width, being one hundred (100) feet in width on each side of the center line of said railway, as it is now staked out and located across the land heretofore conveyed to the State of Illinois for the use of the General Hospital for the Insane, a benevolent institution of the State, in the east half of section thirty-six (36), township eight (8) north, range seven (7) east, of the fourth principal meridian, which said center line crosses the north boundary line of said property of the State of Illinois at a point nine hundred ninety-nine and seven-tenths (999.7) feet east of where said north boundary line produced would intersect the center line of the Peoria and Pekin Union Railroad, and running thence in a straight line crossing the south boundary line of said property of the State of Illinois at a point seven hundred fourteen and four-tenths (714.4) feet east of where said south boundary line produced would intersect the center line of said Peoria and Pekin Union Railroad.

§ 2. Said St. Louis, Peoria and Northwestern Railway Company, before entering upon said property, shall pay into the State treasury the sum of forty-eight hundred dollars.

APPROVED April 7, 1911.

## REVENUE.

## GENERAL LEVY FOR STATE PURPOSES.

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| § 1. "Revenue fund," \$7,750,000 per annum; "State school fund," \$2,-000,000 per annum. | § 2. Computation and certification of tax rate. |
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(HOUSE BILL NO. 673. APPROVED JUNE 10, 1911.)

AN ACT *to provide for the necessary revenue for State purposes.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be raised, by levying a tax by valuation upon the assessed taxable property of the State, the following sums for the purposes hereinafter set forth.

For general State purposes, to be designated "revenue fund," the sum of seven million, seven hundred fifty thousand dollars (\$7,750,000) upon the assessed value of the property for the year A. D. 1911; seven million, seven hundred fifty thousand dollars (\$7,750,000) upon the assessed value of property for the year A. D. 1912; and for State school purposes, to be designated "State school fund," the sum of two million dollars (\$2,000,000) upon the assessed taxable property for the year A. D. 1911, and the sum of two million dollars (\$2,000,000) upon the assessed taxable property for the year A. D. 1912, in lieu of the two mill tax.

§ 2. The Governor, the Auditor and Treasurer shall annually compute the several rates per cent required to produce not less than the above amounts, anything in any other Act providing a different manner of ascertaining the amount of revenue required to be levied for State purposes to the contrary notwithstanding; and when so ascertained, the Auditor shall certify to the county clerk the proper rates per cent therefor, and also such definite rates for other purposes as are now or may hereafter be provided by law, to be levied and collected as State taxes, and all other laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED June 10, 1911.

## GENERAL LEVY FOR UNIVERSITY OF ILLINOIS.

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| § 1. Annual tax levy of one mill on each dollar. | § 2. Disposition of fund. |
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(HOUSE BILL NO. 586. APPROVED JUNE 10, 1911.)

AN ACT *to provide by State tax for a fund for the support and maintenance of the University of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be levied and collected for the year 1912 and annually thereafter at the same time and in the same manner that State taxes are collected, a one mill tax for each dollar of the assessed valuation of the taxable property of this State to be paid into the treasury of the State and set apart as a fund for the use and maintenance of the University of Illinois.

§ 2. Such fund when so collected, paid in and set apart, shall remain in the treasury of the State until appropriated to the use of the said University of Illinois by act of the General Assembly in accordance with section 18, article 4, of the Constitution of this State.

APPROVED June 10, 1911.

TAX COLLECTOR—NOTICES TO RECEIVE TAXES.

§ 1. Amends section 155, Act of 1872.

§ 155. Posting and publication of notices to receive taxes in counties not under township organization.

(HOUSE BILL NO. 317. APPROVED JUNE 2, 1911.)

AN ACT to amend section one hundred and fifty-five (155) of an Act entitled, "An Act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872; as amended by Act approved May 3, 1873, in force July 1, 1873.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section one hundred and fifty-five (155) of an Act entitled, "An Act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872; as amended by Act approved May 3, 1873, in force July 1, 1873, be amended to read as follows:

§ 155. Every town collector, upon receiving the tax book or books, shall proceed to collect the taxes therein mentioned, and for that purpose shall call at least once on the person taxed, or at his place of residence or business, if in the town of such collector, and shall demand payment of the taxes charged to him on his property: *Provided*, that in counties not under township organization, it shall be the duty of the collector to give notice, in a newspaper published in the county, if any such newspaper there be, stating when and where he will be prepared to receive such taxes, which said notice shall be published at the first publication of such newspaper after the delivery to such collector of the tax book or tax books, and immediately upon receipt of such tax book or tax books the said collector shall cause to be posted in three of the most public places in each precinct of his county, a like notice and the publication of said notices in said newspaper and the posting thereof as provided herein, shall be deemed a sufficient demand for said taxes.

APPROVED June 2, 1911.



## TAX DEEDS—CONDITIONS.

§ 1. Amends section 216, Act of 1872.

§ 216. As amended, provides for notice to trustees or mortgagees of record.

(HOUSE BILL NO. 182. APPROVED MAY 25, 1911.)

AN ACT to amend section 216 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 216 of an Act entitled "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872, be and the same is hereby amended so as to read as follows:

§ 216. Hereafter no purchaser or assignee of such purchaser, of any land, town or city lot, at any sale of lands, or lots, for taxes or special assessments, due either to the State or county, or incorporated town or city within the same, or at any sale for taxes or levies otherwise, by the laws of this State, shall be entitled to a deed for lands or lots so purchased, until the following conditions have been complied with, to-wit: Such purchaser, or assignee shall serve, or cause to be served, a written or printed, or partly written or partly printed notice of such purchase, on every person in actual possession or occupancy of such land or lot; also the person in whose name the same was taxed or specially assessed, if, upon diligent inquiry, he or she can be found in the county, also, the owners of or parties interested in said land or lot, including trustees or mortgagees of record, if they can, upon diligent inquiry, be found in the county, at least three months before the expiration of the time of redemption on such sale; in which notice he shall state when he purchased the land or lot, in whose name taxed, the description of the land or lot he has purchased, for what year taxed or specially assessed, and when the time of redemption will expire. If no person is in possession or occupancy of such land or lot, and the person, in whose name the same was taxed or specially assessed, upon diligent inquiry, cannot be found in the county, or said owners of, or parties interested in said land or lot, upon diligent inquiry, cannot be found in the county, then such person, or his assignee, shall publish such notice in some newspaper printed in such county, and if no newspaper is printed in said county, then in the newspaper that is published in this State nearest to the county seat of the county in which such land or lot is situated, which notice shall be inserted three times, the first time not more than five months, and the last time not less than three months, before the time of redemption shall expire: *Provided, however,* that if said owners of said land or lot, or said parties interested therein, cannot be found in the county, and the person in the actual occupancy is tenant to, or in possession under said owner or partly interested therein, then service of said notice upon such tenant or occupant shall be deemed service upon said owner or party interested: *And, provided, however,* that if said

owners or parties interested are unknown to such purchaser or his assignee, then the said publication, as to them, may be to the unknown owner or parties interested as aforesaid.

APPROVED May 25, 1911.

## ROADS AND BRIDGES.

### MOTOR VEHICLES AND MOTOR BICYCLES.

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| § 1. Term "motor vehicle" defined.  | § 11. Racing on public highway.   |
| § 2. Registration by owners of motor vehicles and motor bicycles—certificate of registration. | § 12. Local ordinances prohibited.  |
| § 3. Numbers to be displayed upon motor vehicles and motor bicycles.                          | § 13. License of chauffeurs—renewals.   |
| § 4. Lamps.   | § 14. Chauffeur's badge.  |
| § 5. Registration by manufacturers and dealers—registration.                                  | § 15. Use of motor vehicles and motor bicycles without owner's consent and offer and acceptance of bonus on purchase of supplies or parts prohibited. |
| § 6. Fictitious number.   | § 16. Meeting animals—giving name and address in case of accident.  |
| § 7. Registration in case of sale.  | § 17. No effect or right to damages.  |
| § 8. Non-resident not required to register under certain conditions.                          | § 18. Penalties.  |
| § 9. Brakes, horns, etc.  | § 19. Disposition of registration fees.   |
| § 10. Speed.  | § 20. Public highways and local authorities defined.  |
|   | § 21. Acts repealed.  |

(HOUSE BILL NO. 593. APPROVED JUNE 10, 1911.)

AN ACT defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever the term "motor vehicle" is used in this Act, it shall be construed to include automobiles, locomobiles, and all other vehicles propelled otherwise than by muscular power, except motor bicycles, traction engines and road rollers, the cars of electric and steam railways and other motor vehicles running only upon rails or tracks, but nothing in this Act shall be construed to apply to or to affect bicycles or tricycles or such other vehicles as are propelled exclusively by muscular pedal power.

§ 2. REGISTRATION BY OWNERS OF MOTOR VEHICLES AND MOTOR BICYCLES—CERTIFICATE OF REGISTRATION.] Every owner of a motor vehicle or motor bicycle which shall be driven in this State shall, except as

otherwise provided in this Act, within ten days after he becomes the owner of such motor vehicle or motor bicycle, file in the office of the Secretary of State an application for a certificate of registration properly sworn to, setting forth his name and address, with a brief description of the vehicle, or bicycle, to be registered, including the name of the maker, factory number, style of vehicle or bicycle and the motor power, and (except in case of electrically propelled vehicles) the amount of such motor power stated in figures of horse power on a blank to be prepared and furnished by such Secretary of State for that purpose, and shall pay to said Secretary of State a registration fee for each calendar year for each motor bicycle so registered, the sum of two dollars, and a registration fee for each calendar year for each motor vehicle so registered of 25 horse power and less, the sum of \$4.00; for each motor vehicle of 35 horse power and more than 25 horse power, the sum of \$6.00; for each motor vehicle of 50 horse power and more than 35 horse power, the sum of \$8.00; for each motor vehicle of more than 50 horse power, the sum of \$10.00, and for each and every electrically propelled motor vehicle so registered, the sum of \$5.00: *Provided*, the first registration fee for each motor vehicle or motor bicycle shall be *pro rated* in proportion to the number of months included between the first day of the month in which any such motor vehicle or motor bicycle is first registered and the thirty-first day of December then next ensuing, and that no certificate for re-registration shall issue for less sum than the fee required for a calendar year: *And, provided, further*, that the owner of any motor vehicle registered in the office of the Secretary of State in compliance with law shall be entitled to register his said motor vehicle in compliance with the provisions of this Act upon the payment of the registration fees herein specified, less the unearned portion of the registration fee previously paid by him, figuring such unearned portion from the month in which such motor vehicle is registered as herein provided to the month in which such registration shall expire. Said registration shall be made on the date the application is received and filed by the Secretary of State and shall expire with the last day of the calendar year in which such registration is made. Upon the filing in the office of the Secretary of State of said application and the payment of the registration fee, as hereinbefore provided, the Secretary of State, or his duly authorized agent, shall, without further fee, assign to such motor vehicle, or motor bicycle, as described in such application, a distinctive number, and shall issue to the owner of such motor vehicle or motor bicycle, as it is described in the application filed, a certificate of registration, which certificate shall be in the form of a card, which may be carried in the pocket, and which certificate shall contain the descriptive number so assigned to such motor vehicle or motor bicycle, the name and address of the owner, a brief description of such motor vehicle or motor bicycle, stating the name of the manufacturer, the motor power, and the amount of such motor power stated in figures of horse power, or that such motor vehicle or motor bicycle is electrically propelled. The Secretary of State



shall also issue and deliver to the owner of such motor vehicle or motor bicycle a seal of aluminum or other suitable material which shall be circular in form and not to exceed two inches in diameter, having stamped thereon the words, "Registered motor vehicle or motor bicycle No. . . . ., Ill. Motor Vehicle and Bicycle Law," with the registration number and the year of issue inserted therein, which seal shall be affixed to the motor vehicle or motor bicycle to which such number has been assigned. Duplicate certificates of registration will be issued upon a payment of fifty cents and the filing in the office of the Secretary of State of an affidavit to the effect that the original certificate of registration was lost, stolen or destroyed. The Secretary of State shall cause the name of such owner, with his address, registration number and date of the filing of the application and the description of the motor vehicle or motor bicycle, to be entered in alphabetical order of the owner's name in a book to be kept for such purpose in the office of said Secretary of State, and shall not thereafter assign a number once assigned to a motor vehicle or motor bicycle owned by any other person, if the owner of the motor vehicle or motor bicycle to whom such number was first assigned shall, not less than twenty (20) days prior to the day of expiration of said registration, file an application accompanied by the fees herein specified for the registration or re-registration of a motor vehicle or motor bicycle and request the assignment of said number to a motor vehicle or motor bicycle owned by him: *Provided*, that this section shall not apply to manufacturers of, or dealers in, motor vehicles in this State, except as to motor vehicles kept by such manufacturers or dealers for private use or for public hire. The Secretary of State shall, at the end of each calendar month, except the month of December in each year, print and mail to the clerks of all the counties in this State lists of registrations made in accordance herewith, showing the numbers of the motor vehicles and motor bicycles and the names and addresses of the owners thereof.

§ 3. NUMBERS TO BE DISPLAYED UPON MOTOR VEHICLES AND MOTOR BICYCLES.] The Secretary of State shall supply and deliver to the address of the owner of each licensed motor vehicle or motor bicycle registered in his office, as herein provided, charges prepaid, and without additional cost, one number plate for each motor bicycle, which shall be of a size one-third of that required for motor vehicles, as hereinafter provided, and which shall be conspicuously displayed thereon, and two number plates for each motor vehicle other than a motor bicycle. All such number plates issued during any calendar year shall be of like design and color combination, simple and inexpensive as may be for the purpose required, and the number thereon shall correspond with the number of the certificate of registration and registration seal issued by the Secretary of State, as hereinbefore provided, and such number plates shall be conspicuously displayed upon the front and back of the motor vehicle to which they are assigned, as herein provided, whenever the same shall be driven or used upon the public streets, roads, turn-pikes, parks, parkways, drives or other public highways in this State;



and shall be firmly attached to the said motor vehicle so that they will not swing loosely, and the rear number plate shall not be less than twenty (20) inches above the surface of the ground, and both shall at all times be kept clean and free from grease and dirt. The figures upon such number plates shall be separate arabic numerals, not less than six (6) inches in height, and each stroke shall be of a width not less than five-eighths of an inch, and said number plates shall also bear as part of such number the letters "Ill." and each of such letters shall be not less than one inch in height. Such number plates shall be of a distinctly different color and shape for each calendar year, and there shall be at all times a marked contrast between the color of the number plates and that of the figures and letters thereon: *Provided, however,* the same combination of colors may be repeated after the lapse of five (5) years from the date of their first issue. The owner of such motor vehicle shall not be required to place any other marks of identity upon such motor bicycle or vehicle except the registration seal provided for in section 2 of this Act. The Secretary of State shall pay the actual cost of such number plates, registration seals and certificates furnished for all registered motor bicycles and motor vehicles from the fees collected for such registration, provided a sworn detailed statement shall be made with each biennial report as to the amount expended therefor.

§ 4. LAMPS.] When upon any public highway in this State, during the period from sunset to one hour before sunrise, every motor bicycle shall carry one lighted lamp and every motor vehicle two lighted lamps, showing white lights visible at least two hundred (200) feet in the direction toward which each motor bicycle or vehicle is proceeding and shall also exhibit at least one lighted lamp which shall be so situated as to throw a red light visible in the reverse direction. The number plate at the back of the motor vehicle provided for in section 3 shall be firmly attached to vehicle, so that it will not swing loosely, and shall be so lighted that the numbers on said plate shall be plainly legible and intelligible at a distance of 150 feet: *Provided, however,* that nothing in this section contained shall be so construed as to prevent the use of any rear number plate other than that furnished by the Secretary of State, if such other plate and the numbers thereon shall correspond exactly in color and shape and size with the number plate provided for in section 3 of this Act: *And, provided, further,* that no means for lighting said rear number shall be held or taken to comply with the requirements of this section, unless the light or lights with which the same is provided are accessible and controllable only from the outside of the motor vehicle to which the same is attached.

§ 5. REGISTRATION BY MANUFACTURERS AND DEALERS—REGISTRATION.] Every person, firm, association or corporation manufacturing or dealing in motor vehicles may instead of registering each motor vehicle so manufactured or dealt in, make a verified application upon a blank to be furnished by the Secretary of State for a general distinctive number for all the motor vehicles owned or controlled by such manufacturer or dealer, such application to contain: (a) A brief description of each

style or type of motor vehicle manufactured or dealt in by such manufacturer or dealer, including the character of the motor power, the amount of such motor power (except in case of electrically propelled motor vehicles), stated in figures of horse power, and (b) the name, residence, including county and business address, of such manufacturer or dealer. Upon the payment of the registration fee of fifteen dollars for each calendar year such application shall be filed and registered in the office of the Secretary of State in the manner provided in section two of this Act. There shall thereupon be assigned and issued to such manufacturer or dealer a general distinctive number, and without expense to him there shall be issued and promptly delivered to such manufacturer or dealer at his business address a certificate of registration and registration seal in such form as the Secretary of State shall prescribe, and two number plates with a number corresponding with the number of such certificate of registration and registration seal. The number plates so issued shall be of distinctively different form than those provided for in section 3 of this Act but shall correspond in color and size of numbers and letters with the number plates for motor vehicles provided for in said section 3 hereof. Such number plates shall be conspicuously displayed upon the front and back of every motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such manufacturer or dealer may obtain as many duplicates of such number plates as may be desired upon payment to the Secretary of State of one dollar for each duplicate. Nothing in this subdivision shall be construed to apply to a motor vehicle operated by a manufacturer or dealer for private use or for hire.

Such registration shall be renewed annually in the same manner and on the payment of the same fee as provided in this section for original registration, such renewal to take effect on the first day of January of each year. The provisions of section 2, relating to first registrations made in compliance therewith and duration of renewals, shall apply to registration under this section.

§ 6. FICTITIOUS NUMBER.] No motor vehicle or motor bicycle shall be used or operated upon the public highways of this State after this Act shall take effect which shall display thereon a number belonging to any other vehicle or bicycle or fictitious registration number: *Provided, however,* that this section shall not be construed to prohibit any other number being displayed for any lawful purpose upon a motor vehicle or motor bicycle in addition to the number plates issued by the Secretary of State as aforesaid.

Not later than the tenth day of January of each calendar year the owner of any licensed motor vehicle or motor bicycle shall file with the Secretary of State a properly executed application for registration and such application shall be accompanied by the fee required in each case by this Act.

§ 7. REGISTRATION IN CASE OF SALE.] Immediately upon the sale and delivery of any motor vehicle or motor bicycle which has been registered as herein provided prior to the date of such sale by any person

other than a manufacturer or dealer, the vendor shall remove the number plate or plates and the registration seal from the motor vehicle or motor bicycle so sold and within ten days after the date of such sale the vendor shall send a statement of such sale showing the date thereof, the registration number of the motor vehicle or motor bicycle so sold, and the name of the purchaser to the Secretary of State, together with a filing fee of one dollar, and thereupon such registration seal and number plate or plates shall cease to apply to the motor vehicle or motor bicycle so sold, and the purchaser shall register the same as in the case of an original registration. Upon the payment to the Secretary of State of an additional fee of one dollar, any other motor vehicle of like horse power or less, or any motor bicycle owned by such vendor may be registered by such vendor, and the registration seal and number plate or plates so removed from the motor vehicle or motor bicycle so sold shall be assigned by the Secretary of State and shall apply to and be used upon such other motor vehicle or motor bicycle until the thirty-first day of December then next ensuing: *Provided, however,* that in case the horse power of any motor vehicle to which the unexpired term of the registration of the vehicle sold is sought to be applied would have required the payment of a larger registration fee than was paid upon the registration of the motor vehicle so sold, the vendor thereof shall before the registration seal and number plates may be applied to or used upon such motor vehicle of greater horse power, pay to the Secretary of State such a sum as added to the amount of the original registration fee paid for the year in which such motor vehicle is sold, equals the amount of the registration fee provided by this Act to be paid upon the registration of a motor vehicle of such greater horse power.

§ 8. NON-RESIDENT NOT REQUIRED TO REGISTER UNDER CERTAIN CONDITIONS.] The provisions of sections two, three, five, six and seven of this Act shall not apply to any motor vehicle or motor bicycle owned by non-residents of this State (foreign corporations excepted), provided the owner thereof has complied with any law requiring the registration of motor vehicles or motor bicycles, or the names of the owners thereof, in force in the city, State, territory or Federal district of his residence, provided the registration number showing the initial or abbreviation of the name of such city, State, territory or Federal district shall be displayed on such vehicle, substantially as in section three of this Act provided: *And, provided, further,* that a non-resident within the meaning of this Act shall be held and defined to mean a person residing in another State and temporarily sojourning within this State for a period of sixty days, or less, in any one year.

§ 9. BRAKES, HORNS, ETC.] Every motor vehicle and motor bicycle while in use on a public highway shall be provided with good and sufficient brakes and also with a suitable bell, horn or other signal device. No part of the machinery of any motor vehicle or motor bicycle shall be left running while such motor vehicle or motor bicycle is left standing without an attendant on any public highway in this State.



§ 10. SPEED.] No person shall drive a motor vehicle or motor bicycle upon any public highway in this State at a speed greater than is reasonable and proper having regard to the traffic and the use of the way or so as to endanger the life or limb or injure the property of any person. If the rate of speed of any motor vehicle or motor bicycle operated upon any public highway in this State where the same passes through the closely built up business portions of any incorporated city, town or village exceeds ten (10) miles an hour or if the rate of speed of any motor vehicle or motor bicycle operated on any public highway in this State where the same passes through the residence portions of any incorporated city, town or village exceeds fifteen (15) miles an hour or if the rate of speed of any motor vehicle or motor bicycle operated on any public highway in this State outside the closely built up business portions and the residence portions within any incorporated city, town or village exceeds twenty (20) miles an hour or upon any public highway outside of the limits of an incorporated city, town or village if the rate of speed exceed twenty-five (25) miles per hour, such rates of speed shall be *prima facie* evidence that the person operating such motor vehicle or motor bicycle is running at a rate of speed greater than is reasonable and proper having regard to the traffic and use of the way or so as to endanger the life or limb or injure the property of any person. If the rate of speed of a motor vehicle or motor bicycle operated on any public highway in this State in going around a corner or curve in a highway where the operator's view of the road traffic is obstructed exceeds six (6) miles an hour, such rate of speed shall be *prima facie* evidence that the person operating such motor vehicle or motor bicycle is running at a rate of speed greater than is reasonable having regard to the traffic and the use of the way or so as to endanger the life or limb or injure the property of any person.

§ 11. RACING ON PUBLIC HIGHWAY.] Any person driving a motor vehicle or a motor bicycle upon a public highway in this State in a race, shall, upon conviction, be fined in a sum not exceeding \$200.00.

§ 12. LOCAL ORDINANCES PROHIBITED.] No owner of a motor vehicle, except motor trucks and motor driven commercial vehicles, or motor bicycle, who shall have obtained a certificate from the Secretary of State and paid the registration fees as hereinbefore provided, shall be required to pay any tax for vehicles carrying loads or any other tax upon the use of any such motor vehicle or motor bicycle in excess of the sum of \$10.00 per annum for motor vehicles of thirty-five horse power or less used for the transportation of persons or more than twenty dollars (\$20.00) per annum for motor vehicles of more than thirty-five (35) horse power used for the transportation of persons, from and after May 1, 1912, or to obtain any other license or permit to use or operate the same, nor shall such owner be required to display upon his motor vehicle or motor bicycle any other number than the number of the registration seal, issued by the Secretary of State, or excluded or prohibited from or limited in the free use of his said motor vehicle or motor bicycle, nor limited as to speed upon any public street, avenue, road, turnpike,



driveway, parkway, or any other public place, at any time when the same is or may hereafter be opened to the use of persons having or using other vehicles, nor be required to comply with other provisions or conditions as to the use of said motor vehicles or motor bicycles except as in this Act provided: *Provided, however,* that nothing in this section contained shall be construed to apply to, or include, any speedway created, provided for, or maintained by the local authorities of any city, village, town or other municipal corporation within the State: *And, provided, further,* that the local authorities having jurisdiction over the public parks shall not by the terms of this Act be prohibited from adopting and enforcing such reasonable ordinances, rules or regulations concerning the speed at which motor vehicles or motor bicycles may be operated within any such parks, provided the rate of speed of motor vehicles or motor bicycles by such ordinances, rules or regulations shall not be lower than the rate fixed for other vehicles and provided such authorities shall, by signs conspicuously placed, indicate the rate of speed permitted by such ordinances, rules or regulations: *And, provided, further,* that motor vehicles or motor bicycles may be excluded from any cemetery or grounds used for the burial of the dead, by the authorities having jurisdiction over the same. Except as in this section provided, no city, town or village, or other municipality shall have power to make any ordinance, by-laws or resolution limiting or restricting the use or speed of motor vehicles or motor bicycles, and no ordinance, by-law or resolution heretofore or hereafter made by any city, village or town, or other municipal corporation within the State, by whatever name known or designated, in respect to or limiting the use or speed of motor vehicles or motor bicycles shall have any force, effect or validity, and they are hereby declared to be of no validity or effect: *Provided,* that nothing in this Act contained shall be construed as affecting the power of municipal corporations to make and enforce ordinances, rules and regulations affecting motor trucks and motor driven commercial vehicles and motor vehicles which are used within their limits for public hire, or from making and enforcing reasonable traffic and other regulations except as to rates of speed not inconsistent with the provisions hereof.

§ 13. LICENSE OF CHAUFFEURS—RENEWALS.] An application for a license to operate motor vehicles as a chauffeur, which is hereby defined to mean any person operating a motor vehicle as a mechanic or employé, or for hire, may be made by mail or otherwise to the Secretary of State, or his duly authorized agent, upon blanks prepared under his authority. The Secretary of State shall appoint examiners and cause examinations to be held at convenient points throughout the State as often as may be necessary. Such applications shall be accompanied by the fee provided herein and by a photograph of the applicant in such numbers and forms as the Secretary of State shall prescribe, and such photographs shall have been taken within thirty days prior to the filing of such application. Before such a license is granted the applicant shall pass such an examination as to his qualifications as the Secretary of State shall require and no license shall be issued until

the Secretary of State, or his authorized agent, is satisfied that the applicant is a proper person to receive it, and no chauffeur's license shall be issued to any person under eighteen years of age. A distinguishing number or mark shall be assigned to each chauffeur to whom a license shall be issued and the license shall be in such form as the Secretary of State may determine; it may contain special restrictions and limitations concerning the type of motor car, horse power, design and other features of the motor vehicle which the licensee may operate. It shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address, a brief description of the licensee for the purpose of identification and a photograph of the licensee. Such distinguishing number or mark shall be of a distinctly different color each year and in each year shall be of the same color as that of the number plates issued for that year. The holder of every such license shall endorse his usual signature on the margin of the license in a space to be provided for that purpose, immediately upon receipt of said license which shall not be valid until so endorsed. Every application for a license filed under the provisions of this section shall be sworn to and shall be accompanied by a fee of \$5.00. And all licenses issued prior to December 31, 1912, shall expire on that date.

Upon receipt of such an application the Secretary shall file the same in his office and register the applicant in a book or index which shall be kept in the same manner as the book or index for the registration of motor vehicles and when the applicant shall have passed the examination herein provided for, the number or mark assigned to such applicant, together with the fact that such applicant has passed such examination, shall be noted in said book or index, and the name of the applicant shall be furnished the county clerk of the county of which the applicant is a resident.

No person shall operate or drive a motor vehicle as a chauffeur upon a public highway of this State after the first day of January, 1912, unless such person shall have complied in all respects with the requirements of this section: *Provided, however,* that a non-resident chauffeur who has registered under the provisions of the law of the foreign country, State, territory, or Federal district of his residence substantially equivalent to the provisions of this section shall be exempt from license hereunder. Such license shall be renewed annually upon the payment of a fee of \$3.00, and shall take effect on the first day of January of each year: *Provided, however,* that if it shall be made to appear to the satisfaction of the Secretary of State that any chauffeur shall have driven or operated a motor vehicle within this State while under the influence of intoxicating liquor the Secretary of State shall not renew the license of such chauffeur until after the expiration of the period of one year from and after the date of the expiration of the license of any such chauffeur.

§ 14. CHAUFFEUR'S BADGE.] The Secretary of State shall furnish to every chauffeur so licensed a suitable metal badge with the distinguishing number or mark assigned to him thereon, without extra charge therefor.

and this badge shall be worn by such chauffeur pinned upon his clothing in a conspicuous place, at all times while he is operating or driving a motor vehicle on the public highways. Said badge shall be valid only during the term of the license of the chauffeur to whom it is issued as aforesaid.

No chauffeur having been licensed as herein provided shall permit any other person to possess or use his license or badge, nor shall any person while operating or driving a motor vehicle use or possess any license or badge belonging to another person, or a fictitious license or badge.

§ 15. USE OF MOTOR VEHICLES AND MOTOR BICYCLES WITHOUT OWNER'S CONSENT AND OFFER OR ACCEPTANCE OF BONUS ON PURCHASE OF SUPPLIES OR PARTS PROHIBITED.] No chauffeur or other person shall drive or operate any motor vehicle or motor bicycle upon any street, or highway, in this State in the absence of the owner of such motor vehicle or motor bicycle without said owners' consent; and no chauffeur or other person having the care of a motor vehicle for the owner shall receive or take directly or indirectly any bonus, discount or other consideration for the purchase of supplies or parts for such motor vehicle or for work or labor done thereon by others; and no person furnishing such supplies or parts, work or labor, shall give or offer any such chauffeur or any other person having the care of a motor vehicle for the owner thereof, either directly or indirectly, any bonus, discount or other consideration thereon. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined the sum not exceeding two hundred dollars (\$200.00) or imprisoned in the county jail for a period not exceeding six (6) months, or both, in the discretion of the court.

§ 16. MEETING ANIMALS—GIVING NAME AND ADDRESS IN CASE OF ACCIDENT.] Upon approaching a person walking upon or along a public highway, or a horse or horses, or other draft or domestic animal or animals being ridden, led or driven thereon, the operator of a motor vehicle or motor bicycle shall give reasonable warning of his approach and use every reasonable precaution to avoid injuring such person, or frightening or injuring such horse, horses, or other draft or domestic animal or animals, and, if necessary, stop his said motor vehicle or motor bicycle until he can safely proceed, and in case of any injury to a person or property on the public highways, due to the presence or operation of a motor vehicle or motor bicycle, the operator of such vehicle or bicycle shall stop and, upon the request of a person injured or any person present, give his name and address, and, if not the owner of such motor vehicle or motor bicycle, together with his own name, the name and address of such owner.

Whenever a person operating a motor vehicle shall meet on a public highway any other person riding or driving a horse or other draft animal, or any other vehicle, the person so operating such motor vehicle or vehicles, or riding or driving a horse, or other draft animal, shall each



seasonably turn to the right of the center of the beaten track of such highway so as to pass without interference. Any such person so operating a motor vehicle or motor bicycle shall, on overtaking any such horse, draft animal or other vehicle, pass on the left side thereof, and the rider or driver of such horse, draft animal or other vehicle shall, as soon as practicable, upon signal turn to the right of the center of the beaten track of such highway so as to allow free passage on the left. Any such person so operating a motor vehicle shall, at the intersection of public highways, keep to the right of the center of such intersection of such highway when turning to the right and pass to the right of the center of such intersection when turning to the left.

§ 17. NO EFFECT OR RIGHT TO DAMAGES.] Nothing in this Act shall be construed to curtail or abridge the right of any person to prosecute a civil action for damages by reason of injuries to person or property resulting from the negligent use of the highways by the driver or operator of a motor vehicle or motor bicycle or its owner or his employé or agent, and in any action brought to recover any damages for injury either to person or property caused by running any motor vehicle or motor bicycle at a rate of speed greater than is reasonable and proper having regard for the traffic and the use of the way, or so as to endanger the life or limb or injure the property of any person, the plaintiff or plaintiffs shall be deemed to have made out a *prima facie* case by showing the fact of such injury and that the person or persons driving such motor vehicle or motor bicycle was at the time of such injury running the same at a speed greater than was reasonable and proper having a regard for the traffic and the use of the way or so as to endanger the life or limb or injure the property of any person.

§ 18. PENALTIES.] Any person willfully violating the provisions of this Act shall, except as otherwise provided herein, upon conviction be fined in a sum not to exceed the amount hereinafter set forth:

For a violation of sections two and three and five to nine, inclusive, and sections thirteen, fourteen and sixteen, or any of them, twenty-five dollars. For a violation of section four not less than ten dollars (\$10) nor more than one hundred dollars (\$100). For violation of section ten, two hundred dollars. Any provision not herein specifically mentioned, one hundred dollars: *Provided*, that any offender who shall have been found guilty of a violation of any section of this Act and fined therefor, and who shall thereafter be convicted of a second violation of such section, may be fined in a sum not exceeding double the penalty herein provided for a first offense, and in addition thereto may have his certificate or license issued by the Secretary of State revoked for a period not exceeding three months, and for a third or subsequent violation of the same section of this Act the certificate or license may, in addition to the fine provided for the second offense, be revoked for a period not exceeding six months. Any person whose license shall have been revoked for a violation of any of the provisions of this Act and who shall drive or operate a motor vehicle or motor



bicycle within the State of Illinois, during the period for which his said license shall have been revoked, or any person who, having once been convicted of a failure to comply with the provisions of this Act requiring a registration of motor vehicles or motor bicycles, or the examination and licensing of chauffeurs shall fail or refuse to comply with said provisions, shall be deemed guilty of a misdemeanor and on conviction may be fined in a sum not to exceed two hundred dollars, or imprisoned in the county jail for a period not exceeding thirty (30) days, or both, in the discretion of the court. All fines imposed for violation of any of the provisions of this Act shall be paid to the treasurer of the highway commissioners of the township or road district in which the offense is committed by the justice of the peace, clerk of the court, or other officer to whom the amount of such fines shall be by law required to be paid by the constable, bailiff, sheriff, or other officer named in any execution, issued for the collection of the same, and all money so received by the treasurer of the highway commissioners shall be used in repairing and improving the roads within such township or road district: *Provided, however,* that whenever any such violation shall occur within the limits of any city, village or incorporated town, or within the jurisdiction of any board of park commissioners, wherein no commissioners of highways exist or have jurisdiction, in such case all fines imposed for the violation of any of the provisions of this Act shall be paid to the treasurer of such city, village or incorporated town or to the park commissioners within whose jurisdiction the offense is committed, by the justice of the peace, clerk of the court, or other officer to whom the amount of such fines shall be by law required to be paid by the constable, bailiff, sheriff, or other officer named in any execution issued for the collection of the same, and all money so received by the treasurer of such city, village, or incorporated town, or park commissioners, shall be used in repairing and improving the roads or streets, within such city, village, incorporated town or park.

§ 19. DISPOSITION OF REGISTRATION FEES.] All moneys received by the Secretary of State as registration fees and for the examination and licensing of chauffeurs as provided in this Act, less the cost of procuring and delivering the registration certificates, registration seals and number plates as provided in this Act, shall be deposited in the State treasury and set apart as a special fund to be known as the "Road Fund," which shall be used solely for the permanent improvement of the highways of the State outside of any incorporated city, town or village, and shall be subject to appropriation by the General Assembly for that purpose only. The amount appropriated and expended from such road fund in any county for the permanent improvement of the highways within its limits, in any one year, shall be in the same proportion as the amount levied in each county for road and bridge taxes bears to the total amount of the road and bridge tax levied in all counties of the State.

§ 20. PUBLIC HIGHWAYS AND LOCAL AUTHORITIES DEFINED.] Public highways shall include any highway, county road, State road, public street, avenue, alley, parkway, driveway or public place in any county, city, village, incorporated town or towns. Local authorities shall include

all officers of counties, cities, villages, incorporated towns, towns or road districts as well as all boards, committees and other public officials of such counties, cities, villages, incorporated towns, or road districts.

§ 21. ACTS REPEALED.] "An Act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof, and repealing an Act entitled: 'An Act to regulate the speed of automobiles and other horseless conveyances upon the public streets, roads and highways of the State of Illinois,' approved May 13, 1903, in force July 1, 1903, and to repeal all other Acts or parts of Acts inconsistent herewith," filed May 28, 1907, in force July 1, 1907, as amended by Acts approved June 10th and June 11th, 1909, in force July 1, 1909, is hereby repealed and all other Acts and parts of Acts inconsistent herewith, or contrary hereto are, so far as they are inconsistent or contrary, hereby repealed.

APPROVED June 10, 1911.

#### IN COUNTIES UNDER TOWNSHIP ORGANIZATION—ADDITIONAL TAX LEVY.

§ 1. Amends section 14, Act of 1883.

§ 14. Additional tax levy—  
limitation.

(HOUSE BILL NO. 252. APPROVED JUNE 5, 1911.)

AN ACT to amend section 14 of an Act entitled, "An Act in regard to roads and bridges in counties under township organization, and to repeal an Act and parts of Acts therein named," approved June 23, 1883, in force July 1, 1883, and as amended by Act approved June 14, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 14 of an Act entitled, "An Act in regard to roads and bridges in counties under township organization and to repeal an Act and parts of Acts therein named," approved June 23, 1883, in force July 1, 1883, and as amended by Act approved June 14, 1909, in force July 1, 1909, be amended so as to read as follows:

§ 14. If in the opinion of the commissioners a greater levy is needed, they may certify the same to the board of town auditors and the assessor, "the reason therefor," a majority of whom shall be a quorum, and with the consent of a majority of the entire board given in writing, an additional levy may be made of any sum not exceeding twenty-five cents on the one hundred dollars of the taxable property of the town.

APPROVED June 5, 1911.

#### PROTECTION OF ROADS—WIDTH OF TIRES.

§ 1. Width of tires regulated.

§ 3. Power to arrest on sight.

§ 2. Penalty.

(HOUSE BILL NO. 134. APPROVED JUNE 5, 1911.)

AN ACT to protect turnpike, gravel or macadam roads, and to provide a penalty for its violation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any

person to haul over any turnpike, gravel or macadam road at any time when the road is thawing through, or by reason of wet weather it is in condition to be cut up and injured by heavy hauling, a load on any vehicle with tires less than three inches in width, the combined weight of which load and vehicle, including driver, shall be more than twenty-five hundred pounds, or on any vehicle with tires of three inches and less than four inches in width, the combined weight of which load, vehicle and driver shall be more than three thousand pounds; or any vehicle with tires of four inches and less than five inches in width, the combined weight of which load, vehicle and driver shall be more than thirty-five hundred pounds; or on any vehicle with tires five inches or over in width, the combined weight of which load, vehicle and driver shall be more than forty-five hundred pounds.

§ 2. Any person violating any provision of section 1 of this Act shall, on conviction, be fined not less than five dollars, nor more than fifty dollars, for each load so hauled.

§ 3. Any road supervisor, road superintendent or constable shall have police power to arrest on sight, any person who is seen violating this ordinance, and on conviction of the defendant in such cause there shall be assessed by the court trying the same a fee of two dollars in each case, to be paid to the person making the arrest.

APPROVED June 5, 1911.

## SCHOOLS.

### BOARDS OF EDUCATION IN CERTAIN DISTRICTS—ELECTIONS.

§ 1. Amends section 1, Act of 1903.

§ 2. Emergency.

§ 1. As amended, provides for conduct of elections within and without territory having election commissioners.

(SENATE BILL NO. 377. APPROVED MARCH 29, 1911.)

AN ACT to amend section 1 of an Act entitled, "*An Act to provide for the election of boards of education in certain districts*," approved May 15, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an Act entitled "*An Act to provide for the election of boards of education in certain districts*," approved May 15, 1903, in force July 1, 1903, be and the same is hereby amended to read as follows:

§ 1. That in all school districts in this State, having a population of over 35,000 by the last Federal census, existing by virtue of any special charter, where the board of directors or board of education is elected or appointed by the common council of the city, of which school district such city may form the whole or a part, and where there are no provisions in



the special charter creating such school district, for the election of a board of directors or board of education, there shall be elected hereafter in each of said school districts, in lieu of the present governing body, a board of education, to consist of seven members to be elected at the same time and in the same manner, as provided by the general school law for the election of boards of education in school districts having a population of not less than 1,000 and not more than 100,000 inhabitants. Such board of education when elected and qualified, shall have all the powers of trustees of schools in school townships. It shall also have all the powers of boards of directors, and in addition thereto, all the powers of boards of education elected by virtue of the general school law of this State: *Provided, however*, that where any such school district shall lie wholly within or partly within and partly without any such city, village or incorporated town and said city, village or incorporated town, has adopted or may adopt an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages, and incorporated towns in this State," approved June 19, 1885, and in force July 1, 1885, and acts amendatory thereof, then the board of directors or board of education of such school district shall locate the polling place or places, appoint the judges and clerks and otherwise conduct the election in that portion or part of the school district that lies without such city, village or incorporated town, in the manner now provided by law, except as hereinafter provided, but no one residing without such city, village or incorporated town shall vote at any polling place within, nor shall any one residing within vote at any polling place without, and the votes cast at the polling place or places without such city, village or incorporated town, shall be returned, certified and canvassed as is now provided by law in such cases, and in addition thereto a complete abstract of the vote cast and canvassed shall be made, certified and returned to the board of election commissioners of such city, village or incorporated town: *And, provided, further*, that in all that part or portion of such school district that lies within such city, village or incorporated town, and in such school district, when the same lies wholly within any such city, village or incorporated town, the election for such board of directors or board of education shall be conducted by the board of election commissioners of such city, village or incorporated town and in accordance with the provisions of the said Act of June 19, 1885, and the amendments the provisions of the said Act of June 19, 1885, and the amendments thereto: *And, provided, further*, when such school district lies partly within and partly without any such city, village or incorporated town, the said board of election commissioners shall certify the returns received by them from the polling place or places without such city, village or incorporated town, to the proper officer or officers; and all the returns so certified and returned by the said board of election commissioners shall be canvassed, together with the returns certified from the polling places within such city, village or incorporated town, by the same canvassing board and the results thereof declared, and certificates of election shall be issued thereon the same as if all such votes had been cast in, certified and returned from



such city, village or incorporated town: *And, provided, further,* that the regular election for the members of such board of education in any such school district lying wholly within or partly within and partly without any such city, village or incorporated town, which city, village or incorporated town has adopted or may adopt said Act of June 19, 1885, and Acts amendatory thereof, shall be held on the first Tuesday of the month of April of each and every year after the passage of this Act: *And, provided, further,* that nominations of candidates for the office of member of said board of education to be voted for at all elections provided for in this Act shall be made only by petition in like manner as is provided for nominations of candidates by petition for town offices in counties under township organization by an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nominations of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, and Acts amendatory thereof; such petitions to be addressed to and filed in the office of the said board of education of such city, village or incorporated town, which board may certify to the said board of election commissioners the petitions so filed; except, however, that such petitions for nominations at the election which may be held on the fourth day of April, 1911, may be filed on or before five days before such election; the said elections in other respects to be held under the provisions of the said Act of June 22, 1891, and Acts amendatory thereof, so far as the same may apply and may not be inconsistent with the provisions of this Act.

§ 2. WHEREAS, An emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED March 29, 1911.

#### CLASSES AND SCHOOLS FOR DEAF AND DUMB AND BLIND—STATE AID.

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| § 1. Authority to establish and maintain.                   | § 5. Reports—approval of vouchers.        |
| § 2. Acquisition of sites for schools.                      | § 6. State to pay excess cost—limitation. |
| § 3. Powers and duties of board of education—employés, etc. | § 7. Supervision.                         |
| § 4. Qualification of teachers.                             | § 8. How drawn.                           |

(HOUSE BILL No. 460. APPROVED JUNE 2, 1911.)

*AN ACT to enable school directors and boards of education to establish and maintain classes and schools for deaf and dumb and blind, and providing for the payment from the State treasury of the excess cost of maintaining and operating such classes and schools over the cost of maintaining and operating elementary schools for normal children.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That boards of education and school directors shall be empowered to establish and maintain classes and schools for the deaf and dumb and blind, residents of such cities.

§ 2. Such boards of education may acquire sites for such schools anywhere within the counties in which said cities are situated in the same manner as is provided in the case of the acquirement of public school sites in said cities, and authority is hereby expressly granted for this purpose.

§ 3. The board of education establishing and maintaining such classes, school or schools, may also employ a superintendent and all other necessary officers, agents and teachers for such schools, and shall prescribe the method of discipline and the course of instruction therein, and shall exercise the same powers and perform the same duties as are prescribed by law for the establishment, maintenance and management of other classes and schools, and in addition thereto, shall have all powers necessary to carry the terms and provisions of this Act into operation and effect.

§ 4. No person shall be employed to teach any class or classes in such school or schools who shall not have first obtained a certificate of qualification for teaching in such school or schools, as provided by law. All classes or schools maintained for the deaf, shall be establish [ed] for the benefit of deaf children between the ages of 3 and 21 years. But no person shall be authorized or employed to teach the deaf, who shall not have received instruction in the methods of teaching the deaf for a term of not less than one year.

§ 5. The board of education shall keep an accurate, detailed and separate account of all moneys paid out by it for the maintenance of such classes and schools, and for the instruction and care of the pupils attending them, and shall report the same to the Board of Administration for approval on vouchers prescribed by said board on or before the third Monday in August in each year, together with the excess of cost for each and every such pupil for each school year ending in June, over the last ascertained average cost of such board of education for the instruction of normal children in the elementary public schools of the city for a like period of time of attendance, as such excess shall be determined and computed by said board of education.

§ 6. The aggregate excess cost of the maintenance of such classes and schools as determined computed and reported by the board of education as provided in section 5 of this Act shall be, and the same is hereby made a charge against the State of Illinois and such excess cost shall be paid annually to such board of education on the warrant of the Auditor of Public Accounts out of any money in th[e] treasury [a]ppropriated for such purposes on presentation of proper vouchers approved by the Board of Administration: *Provided, however,* that such excess cost for each pupil shall not exceed the following amounts: For deaf and dumb pupils, \$110.00 a pupil; for blind pupils, \$160.00 a pupil.

§ 7. All classes and schools established according to any of the provisions of this Act, shall be subject to the supervisions of the Superintendent of Public Instruction.

§ 8. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer on or before the

first Monday in September of each year for the respective sums of excess cost theretofore reported to him, as provided in section 6 of this Act, upon the order of the Board of Administration.

APPROVED June 2, 1911.

#### CLASSES AND SCHOOLS FOR DELINQUENT CHILDREN—STATE AID.

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| <p>§ 1. Authority to establish and maintain.</p> <p>§ 2. Acquisition of sites for schools.</p> <p>§ 3. Powers and duties of board of education—employés, etc.</p> <p>§ 4. Qualification of teachers.</p> | <p>§ 5. Reports—approval of vouchers.</p> <p>§ 6. State to pay excess cost—limitation.</p> <p>§ 7. Supervision.</p> <p>§ 8. How drawn.</p> |
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(HOUSE BILL No. 461. APPROVED JUNE 2, 1911.)

AN ACT *to enable school directors and board[s] of education to establish and maintain classes and schools for delinquent children committed by courts of competent jurisdiction and providing for the payment from the State treasury of the excess cost of maintaining and operating the said classes and schools over the cost of maintaining and operating elementary schools for normal children.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That boards of education and school directors shall be empowered to establish and maintain classes and schools for the delinquent children, residents of such cities, committed by courts of competent jurisdiction.

§ 2. Such boards of education may acquire site or sites for such schools anywhere within the counties in which said cities are situated in the same manner as is provided in the case of the acquirement of public school sites in said cities, and authority is hereby expressly granted for this purpose.

§ 3. The board of education establishing and maintaining such classes, school or schools, may also employ a superintendent and all other necessary officers, agents and teachers for such schools, and shall prescribe the method of discipline and the course of instruction therein, and shall exercise the same powers and perform the same duties as are prescribed by law for the establishment, maintenance and management of other classes and schools, and, in addition thereto, shall have all powers to carry the terms and provisions of this Act into operation and effect.

§ 4. No person shall be employed to teach any class or classes in such school or schools who shall not have first obtained a certificate of qualification for teaching in such school or schools as provided by law.

§ 5. The board of education shall keep an accurate, detailed and separate account of all moneys paid out by it for the maintenance of such classes and schools, and for the instruction and care of the pupils attending them, and shall report the same to the Board of Administration for approval, on voucher forms prescribed by said board, on or before the third Monday in August of each year, together with the

excess of cost for each and every such pupil for each school year ending in June, over the last ascertained average cost to such board of education for the instruction of normal children in the elementary public schools in the city for a like period of time of attendance as such excess shall be determined and computed by said board of education.

§ 6. The aggregate excess cost of the maintenance of such classes and schools as determined, computed and reported by the board of education as provided in section 5 of this Act, shall be and the same is hereby made a charge against the State of Illinois, and such excess cost shall be paid annually to such board of education on the warrant of the Auditor of Public Accounts out of any money in the treasury appropriated for such purposes on presentation of proper vouchers approved by the Board of Administration: *Provided, however,* that such excess cost for each pupil shall not exceed the following amount: For delinquent children, \$190.00 a pupil.

§ 7. All classes and schools established according to any of the provisions of this Act shall be subject to the supervision of the Superintendent of Public Instruction.

§ 8. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer on or before the first Monday in September of each year for the respective sums of excess cost theretofore reported to him, as provided in section 6 of this Act, upon the order of the Board of Administration.

APPROVED June 2, 1911.

#### HIGH SCHOOL DISTRICTS—ORGANIZATION.

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| <p>§ 1. Organization in townships of 1,000 to 100,000.</p> <p>§ 2. Petition—order of election—form of notice.</p> <p>§ 3. Conduct of election—form of ballot.</p> | <p>§ 4. Board of education—election—form of notice.</p> <p>§ 5. Powers and duties.</p> <p>§ 6. Organization of contiguous territory.</p> <p>§ 7. Annexation—submission of proposition.</p> |
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(SENATE BILL NO. 286. APPROVED JUNE 5, 1911.)

AN ACT to authorize the organization of high school districts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any school township that contains a school district having a population of 1,000 or more and not exceeding 100,000 inhabitants, whether operating under the general school law or governed by virtue of a special Act, may be organized into a high school district by submitting the proposition to a vote of the people at a general or special election.

§ 2. Upon receipt of a petition signed by 50 or more legal voters the county superintendent of schools of the county in which the township or the greater part of the territory described in the petition is situated, shall forthwith order an election to be held for the purpose of voting "for" or "against" the proposition to establish a township high



school, by posting notices for at least 10 days in 10 of the most public places throughout the township or territory, which notices may be substantially as follows:

#### NOTICE OF ELECTION.

Notice is hereby given that on ..... the ..... day of ....., 1....., an election will be held at ..... for the purpose of voting "for" or "against" the proposition to establish a township high school for the benefit of the inhabitants of township (or territory). ..... The polls will be opened at ..... o'clock.....m., and closed at ..... o'clock .....m.

A..... B.....  
County Superintendent.

In townships divided equally by county lines, the elections shall be in charge of the superintendent of schools of the county in which the 16th section is situate.

§ 3. The elections required by this Act shall be conducted by the trustees of schools, boards of education or boards of directors, designated by the county superintendent of schools, to whom all returns shall be made within 5 days. The ballots shall be in substantially the following form, to-wit:

For the establishment of a township high school	
Against the establishment of a township high school	

The voter shall make an X or cross-mark in the square following and opposite the proposition favored, and the ballot shall be so counted.

§ 4. If a majority of the votes cast shall be in favor of establishing a township high school, the county superintendent of schools shall forthwith order an election to be held within 30 days, for the purpose of selecting a township high school board of education to consist of a president and 6 members, by posting notices for at least 10 days in 10 of the most public places throughout the township or territory, which notices may be substantially as follows:

#### NOTICE OF ELECTION.

Notice is hereby given that on ....., the ..... day of ....., an election will be held at..... for the purpose of electing a township high school board of education, to consist of a president and 6 members. The polls will be opened at .....o'clock .....m., and closed at .....o'clock .....m.

A..... B.....  
County Superintendent.

Two of the members shall be elected for one year, two for two years, and two for three years, and each year thereafter two members shall be elected to serve for three years. The president shall be elected annually. All subsequent elections shall be held on the second Saturday of April, annually.

§ 5. For the purpose of supporting a high school, the township or territory for the benefit of which a high school is established under the provisions of this Act, shall be regarded as a school district, and the board of education thereof shall, in all respects, have the powers and discharge the duties of boards of education elected under the general school law.

§ 6. The inhabitants of any contiguous and compact territory, whether in the same or different townships, upon a petition signed by at least 50 legal voters and an affirmative vote in such territory, may establish, in the manner provided by this Act, a township high school for the benefit of the inhabitants of the territory described in the petition.

§ 7. A school district or any part thereof, adjoining a high school district organized pursuant to this Act, may be annexed to such high school district and become a part thereof, by a concurrent resolution adopted by the boards in each district. Before the resolution shall take effect, however, the proposition shall be submitted, under the provisions of this Act, to a vote of the people of the territory desiring annexation, and a majority of the votes cast shall be required in order to adopt such resolution.

APPROVED June 5, 1911.

#### HIGH SCHOOL DISTRICTS—PARTS OF TOWNSHIPS.

§ 1. Amends section 88, Act of 1909.

§ 88. District composed of parts of adjoining townships — remainder of township.

(HOUSE BILL No. 337. APPROVED JUNE 5, 1911.)

AN ACT to amend section 88 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 88 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be and the same is hereby amended so as to read as follows:

§ 88. The inhabitants of any territory composed of parts of adjoining townships may create such territory into a high school district by a petition signed by at least 50 legal voters and an affirmative vote in such territory, and may elect a board of education therefor, as in other high school districts. When part of a township has been included in any high school district pursuant to any of the provisions of this Act, the remainder of such township, not included in any high school district, shall constitute a township for high school purposes.

APPROVED June 5, 1911.

## HIGH SCHOOLS—ORGANIZATION OF TOWNSHIP.

§ 1. Amends sections 85 and 86, Act of 1909.

§ 85. Petition—notice of election—ballots—forms—conduct of election.

§ 86. Board of education—election—term—annual election—vacancies—officers.

(HOUSE BILL NO. 338. APPROVED JUNE 6, 1911.)

AN ACT to amend sections 85 and 86 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 85 and 86 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be and the same are hereby amended so as to read as follows:

§ 85. Upon the receipt of a petition signed by at least 50 legal voters of any school township, it shall be the duty of the treasurer to give notice of an election to be held at the next regular election of trustees for the purpose of voting "for" or "against" the proposition to establish a township high school. Notice of such election shall be posted in at least ten of the most public places throughout the township for at least ten days before the day of such regular election, and may be in the following form:

## NOTICE OF ELECTION.

Notice is hereby given that on Saturday, the ..... day of April, 1....., an election will be held at.....for the purpose of voting "for" or "against" the proposition to establish a township high school for the benefit of township number....., range number..... The polls will be opened at ..... o'clock .... m., and closed at..... o'clock .....m.

A ..... B .....  
Township Treasurer.

The trustees of schools shall conduct the election, canvass and declare the result. The ballots shall be in substantially the following form, to-wit:

For the establishment of a township high school.	
Against the establishment of a township high school.	

The voter shall make an X or cross mark in the square following and opposite the proposition favored, and the ballot shall be so counted.

§ 86. If a majority of the votes cast shall be in favor of establishing a township high school it shall be the duty of the treasurer to call a

special election on any Saturday within sixty days for the purpose of electing a township high school board of education, to consist of five members, notice of which election shall be given for the same time and in the same manner as provided in the election of trustees of schools. The members elected shall determine by lot, at their first meeting, the length of term each is to serve. Two of the members shall serve for one year, two for two years and one for three years from the second Saturday of April next preceding their election. At the expiration of the term of office of any member or members, a successor or successors shall be elected, each of whom shall serve for three years, which subsequent election shall be held on the second Saturday in April. In case of a vacancy the board shall call an election without delay, to be held on any Saturday. Within ten days after their election the members of the township high school board of education shall meet and organize by electing one of their number president, and by electing a secretary. It shall be the duty of such high school board of education to establish, at some central point most convenient to a majority of the pupils of the township, a high school for the education of the more advanced pupils.

APPROVED June 6, 1911.

#### INDUSTRIAL SCHOOLS FOR GIRLS—PAYMENT BY COUNTY.

§ 1. Amends section 9, Act of 1879.

§ 9. Amount to be paid by county for each dependent girl.

(SENATE BILL No. 482. APPROVED MAY 29, 1911.)

AN ACT to amend section 9 of "An Act to aid industrial schools for girls," approved May 28th, 1879, in force July 1st, 1879, as amended by an Act approved June 25th, 1885, and in force July 1st, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 9 of an Act entitled, "An Act to aid industrial school for girls," approved May 28th, 1879, and in force July 1st, 1879, as amended by an Act approved June 25th, 1885, and in force July 1st, 1885, be amended to read as follows:

§ 9. For the tuition, maintenance and care of dependent girls committed to an industrial school for girls, the county from which they are sent shall pay to the industrial school for girls, to which they may be committed, the sum of fifteen (15) dollars per month for each dependent girl under the age of eighteen (18) years so committed; and upon the proper officer rendering proper accounts therefor, quarterly, the county board shall allow and order the same paid out of the county treasury, provided that no charge shall be made against any county by any industrial school for girls on account of any dependent girl in the care thereof, who has been by said school put out to a trade or employment in the manner hereinafter provided.

APPROVED May 29, 1911.



## KICKAPOO UNION SCHOOL DISTRICT.

§ 1. Fixes boundaries of district.

§ 2. Territory outside under general school laws.

(HOUSE BILL No. 143. APPROVED JUNE 5, 1911.)

AN ACT to take territory from the Kickapoo Union School District as organized under an Act entitled, "An Act to establish and form the Kickapoo Union School District," approved March 31, 1869, in force April 1, 1869, by reducing the corporate limits of said district by amending section one of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the corporate limits of the Kickapoo Union School District as organized under an Act entitled "An Act to establish and form the Kickapoo Union School District," approved March 31, 1869, in force April 1, 1869, and hereby reduce so as to include and embrace within the same only the territory and tracts of land situated in the county of McLean and State of Illinois and within the boundaries described, by amending section one of said Act to read as follows: That all that district of country lying in townships twenty-two (22) and twenty-three (23) north, range three (3) east of the third principal meridian, of the county of McLean and State of Illinois, and embraced within the following boundary, to-wit: Commencing at the southeast corner of section twenty-eight (28) township twenty-three (23) north range three (3) east of the third principal meridian, thence north one-fourth ( $\frac{1}{4}$ ) mile, thence west one (1) mile, thence south five-eighths ( $\frac{5}{8}$ ) mile, thence west one-fourth ( $\frac{1}{4}$ ) mile, thence south one-half ( $\frac{1}{2}$ ) mile, thence east one-fourth ( $\frac{1}{4}$ ) mile thence south one-eighth ( $\frac{1}{8}$ ) mile, to the township line between townships twenty-two (22) and twenty-three (23) north range three (3) east of the third principal meridian, thence west one-half ( $\frac{1}{2}$ ) mile, thence south  $\frac{1}{2}$  mile, thence west one-fourth ( $\frac{1}{4}$ ) mile, south one-half ( $\frac{1}{2}$ ) mile, east one-fourth ( $\frac{1}{4}$ ) mile, south one-half ( $\frac{1}{2}$ ) mile, east one-half ( $\frac{1}{2}$ ) mile, south one and one-half ( $1\frac{1}{2}$ ) miles, east one and three-fourths ( $1\frac{3}{4}$ ) miles, north one and one-fourth ( $1\frac{1}{4}$ ) miles, east one-fourth ( $\frac{1}{4}$ ) mile, north three-fourths ( $\frac{3}{4}$ ) mile, west one-fourth ( $\frac{1}{4}$ ) mile, north one-half ( $\frac{1}{2}$ ) mile, west one-half ( $\frac{1}{2}$ ) mile, north one-half ( $\frac{1}{2}$ ) mile, to the town line before mentioned, thence north one (1) mile, thence west one-fourth ( $\frac{1}{4}$ ) mile, to the place of beginning, is hereby made and constituted a permanent school district by the name of "Kickapoo Union School District," and that no territory shall ever be taken therefrom except by Act of the Legislature.

§ 2. That the territory lying outside the limits of the boundaries as fixed in this Act and which formerly was embraced within the limits of the Kickapoo Union School District shall be taken care of and disposed of under the general laws of the State.

APPROVED June 5, 1911.

## SCHOOL DISTRICTS—FORMATION.

§ 1. Amends section 45, Act of 1909.

§ 45. Amendment relates to territory taken from district under special charter.

(HOUSE BILL NO. 624. APPROVED JUNE 5, 1911.)

AN ACT to amend section 45 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 45 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be amended so as to read as follows:

§ 45. The trustees of schools in newly organized townships shall divide the township into school districts to suit the wishes or convenience of a majority of the inhabitants of the township, and shall prepare or cause to be prepared a map of the township, on which the district or districts shall be designated by their respective numbers. The said trustees of schools shall also cause any territory taken from a school district acting under a special charter to be formed and established into a school district to be governed under the general school laws of the State and shall cause such district to be established within thirty days from the time such territory is taken from such district acting under a special charter; and said trustees shall call an election for the purpose of electing directors for such district within ten days after the organization of such district. In case such territory has not sufficient inhabitants and children to establish and maintain a school, the trustees shall have power to annex such territory to an adjoining district or districts.

APPROVED June 5, 1911.

## TEACHERS' PENSION FUND IN CITIES OVER 100,000—BENEFICIARIES.

§ 1. Adds sections 156a and 156b to Act of 1909.

§ 156b. Who may become contributors and beneficiaries.

§ 156a. Option to renew rights—return of money withdrawn—proviso.

(SENATE BILL NO. 366. APPROVED JUNE 6, 1911.)

AN ACT to amend an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, by adding thereto two sections to be known respectively as sections 156a and 156b.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be and the same is hereby amended by adding thereto two additional sections to be known as sections 156a and 156b, to read as follows:

§ 156a. All persons who have heretofore been contributors to a public school teachers' pension and retirement fund of cities having a population exceeding 100,000 inhabitants, under any law now in force but who have withdrawn from such participation, may, if they shall exercise the option on or before the first day of July in the year of our Lord one thousand nine hundred and twelve, renew their right to participation in a fund to be created in said city under the provisions of this Act, by paying into said fund the full amount of any moneys they may have withdrawn from such previous fund and the full amount they would have contributed had they not withdrawn therefrom together with interest thereon at the rate of 4 per cent per annum from the time such moneys were withdrawn and from the time such payments would have become due to the date of their acceptance of the provisions of this section; and thereafter such persons shall contribute to said fund upon the same terms as teachers who shall hereafter be employed and become contributors to and beneficiaries of said fund: *Provided, however*, that such persons who shall be re-employed by said board of education as such teachers on or after July 1, 1911, may, if they shall exercise such option within one year after such re-employment, renew their right to participation in such fund upon the same terms and conditions aforesaid.

§ 156b. All teachers who are now in the service of the board of education of any such city, other than those described in the previous section, may, if they shall exercise the option on or before the first day of July in the year of our Lord one thousand nine hundred and twelve, become contributors to and beneficiaries of the public school teachers' pension and retirement fund created under the provisions of this Act, upon the same terms as teachers who shall hereafter be employed and become contributors to and beneficiaries of said fund under section 156a of this Act.

APPROVED June 6, 1911.

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TEACHERS' PENSION FUND IN CITIES OVER 100,000—CONTRIBUTIONS.

§ 1. Power of board of education to set aside money—additions to pension fund.

(SENATE BILL NO. 367. APPROVED JUNE 5, 1911.)

AN ACT to provide for the contribution from public moneys to the public school teachers' pension and retirement fund in cities having a population exceeding 100,000 inhabitants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the board of education of any city having a population exceeding 100,000 inhabitants shall have power to annually set aside and contribute to the public school teachers' pension and retirement fund in such city now created or existing, or such as may be hereafter created pursuant to any law, a sum of public money, so that the same when taken together with the moneys added to such pension fund for that year from interest on school funds raised by

taxation shall equal in amount the aggregate of the sums set apart for that year and contributed to such pension fund from the salaries of the teachers in the employ of the board of education.

APPROVED June 5, 1911.

TEACHERS' PENSION FUND—IN DISTRICTS OF 1,000 TO 100,000.

§ 1. Adds 14 sections (127a-127n) to Act of 1909.

§ 127a. Authority to establish—  
board of management  
—composition.

§ 127b. What fund consists of.

§ 127c. Control of funds.

§ 127d. Who entitled to benefits—classes—contributions.

§ 127e. Contributors—past service—payments and interest.

§ 127f. Resolution declaring maturity of service.

§ 127g. Annuities and pensions.

§ 127h. Deductions certified to treasurer—special fund—warrants.

§ 127i. Custodian of fund—records—bond—legal proceedings.

§ 127j. Refunding money.

§ 127k. All teachers become contributors.

§ 127l. Exemptions from attachment or garnishment.

§ 127m. Interest added to fund.

§ 127n. Establishment of fund by majority vote.

(HOUSE BILL NO. 462. APPROVED JUNE 6, 1911.)

AN ACT to amend an Act entitled, "An Act to establish a system of free schools," approved and in force June 12, 1909, by adding thereto fourteen sections to be known as sections 127a, 127b, 127c, 127d, 127e, 127f, 127g, 127h, 127i, 127j, 127k, 127l, 127m, [and] 127n.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act to establish and maintain a system of free schools, approved and in force June 12, 1909, be and the same is hereby amended by adding thereto 14 sections to be known as sections 127a, 127b, 127c, 127d, 127e, 127f, 127g, 127h, 127i, 127j, 127k, 127l, 127m, and 127n, which shall read as follows:

127a. The board of education may establish and maintain a teachers' pension and retirement fund. Said board of education of said district shall cause to be elected a board of management for the purpose of carrying out the provisions of this Act. Said board of management shall consist of either three or nine members, as said board of education shall determine. Two-thirds of the membership of said board of management shall consist of members of the active teaching force of said district, who are contributors to said pension and retirement fund and they shall be elected by the members of the active teaching force of said district who are contributors to said pension and retirement fund, in such manner and for such terms as said board of education shall determine. One-third of the membership of said board of management shall consist of members of the board of education to be selected by such board of education for such terms as said board may determine.



127b. The teachers' pension and retirement fund shall consist of moneys contributed by teachers desiring its benefits under the provisions of this Act; of moneys received from donations, legacies, gifts, bequests and otherwise, and of moneys paid into said fund in pursuance of any law now in force or hereafter enacted.

127c. The board of education shall have charge of such fund and shall invest the same in the manner prescribed by section 72 of this Act, and shall have power to make payments from such fund of pensions and annuities granted in pursuance of this Act, and shall adopt such by-laws, rules and regulations for administering the fund as it shall deem advisable.

127d. Any person who shall be employed to teach in the public schools of the district after this Act shall take effect, shall be entitled to the benefits of the fund upon complying with the provisions of this Act, and for the purpose of this Act such persons shall be divided into the following classes:

*First*—Those who have taught five years or fewer than five years.

*Second*—Those who have taught more than five years and not more than ten years.

*Third*—Those who have taught more than ten years and not more than fifteen years.

*Fourth*—Those who have taught more than fifteen years.

After this Act shall take effect, there shall be set apart from the salaries of all persons in the employ of the board of education as teachers, \$5.00 per annum while they remain in the first class; \$10.00 per annum while they remain in the second class; \$15.00 per annum while they remain in the third class; and \$30.00 per annum while they remain in the fourth class, which amounts shall be deducted by the board of education in equal installments from their respective salaries at the regular times for the payment thereof, and be paid into and constitute a part of the teachers' pension and retirement fund of the district.

127e. Teachers who become contributors to and beneficiaries of the pension and retirement fund, under any provisions of this Act, may count past services as a part of the period of 25 years hereinafter specified, by paying into the fund a sum equal to that which he or she would have contributed under the provisions of this Act, had he or she been a regular contributor to said fund, during said period of past service, together with interest thereon at the rate of four per centum per annum, from the time such payments would have been made to the time such person shall by making such payment become entitled to the benefits of such past service.

127f. The board of management shall adopt a resolution declaring the maturity of service and right to the immediate benefits of the fund in favor of persons entitled to the benefits thereof in the following cases:

*First*—When any such persons shall have taught in public schools for a period of 25 years within the meaning of this Act.

*Second*—When any contributor to the fund shall have taught 15 years in the public schools within the meaning of this Act and shall

have been declared by three competent physicians who have made a physical examination of the teacher, at the request of the board of management to be suffering from a permanent disability: *Provided, however,* that the board of management shall not declare any contributor entitled to the immediate benefits of the fund until he or she shall have taught in public schools of the district three-fifths of the term of service of 25 or 15 years, as the case may be: *And, provided, further,* that no person shall be entitled to the benefits of the fund until he or she shall have retired from service as a teacher.

127g. Each teacher so retired or retiring after 25 years of service shall be entitled thereafter to receive an annuity of not to exceed \$400.00, and each teacher so retired because of permanent disability after 15 years of service shall receive as an annual pension such proportion of the full annuity of \$400.00 as the sum contributed by such teacher so retired bears to the total contributions required for a full annuity. Pensions and annuities shall be paid monthly during the school year out of the fund created in accordance with the provisions of this Act, in the manner provided by law for the payment of the salaries of teachers.

127h. The president and secretary of the board of education shall certify monthly to the treasurer all amounts deducted from the salaries of teachers, special teachers, principals and superintendents in accordance with the provisions of this Act, which amounts, together with all other moneys contributed to the fund, shall be set apart and held by the treasurer of the district as a special fund for the purposes herein specified, and shall be paid out on recommendation of the board of management upon warrants signed by the president and secretary of the board of education.

127i. The treasurer of the district shall be *ex officio* the custodian of the pension and retirement fund and shall hold the same subject to the control and direction of the board of education, in accordance with the provisions of this Act. The treasurer shall keep his books and accounts concerning such fund in the manner prescribed by the board of education and his books and accounts shall be subject to the inspection of the board or any member thereof. The treasurer shall be liable on his official bond for the proper performance of his duties and the conservation of the fund created by this Act. Any legal proceedings which may be necessary for the enforcement of the provisions of this Act shall be brought by and in the name of the board of education for the use of the pension and retirement fund.

127j. If at any time a teacher who is willing to continue is not re-employed or is discharged before the time he or she would be entitled to a pension under the provisions of this Act, then such teacher shall be refunded the money he or she may have contributed. Any teacher who shall retire voluntarily from the service prior to entering the fourth class shall receive a refund of one-half the money he or she will have contributed.

127k. All persons who shall be employed as teachers by the board of education shall accept the provisions of this Act by such employment,

and thereupon become contributors to the pension and retirement fund in accordance with the terms thereof. And the provisions of this Act shall become a part of and enter into any such contract of employment.

127l. All pensions or annuities granted under the provisions of this Act and every portion thereof, shall be exempt from attachment or garnishment process and shall not be seized, taken, subjected to, detained or levied upon by virtue of any execution, or any process or proceedings whatsoever issued out of or by any court in this State for the payment of satisfaction in whole or in part of any debt, claim, damage, demand or judgment against any pensioner hereunder, and no annuitant or pensioner shall have the right to transfer or assign his or her pension or annuity or any part thereof either by way of mortgage or otherwise.

127m. The treasurer shall not be entitled to retain any interest accruing from the pension and retirement fund, but such interest shall be covered into such fund, become a part thereof and be subject to the purposes of this Act. The treasurer shall also set aside annually all interest accruing from the district funds of the district, whether levied for educational or building purposes, and shall add such interest to the pension and retirement fund.

127n. In any school district where there is not sufficient revenue to maintain a teachers' pension fund under the foregoing sections, such school district may, by a majority vote, establish a fund for the retirement of teachers who are over 50 years old and who have faithfully served such district for 25 years. The fund shall be derived from such revenues as may be devoted to the purpose by the directors of a district or by direct appropriation by a town. The amount of the annual pension allowed to any person under the provisions of this section shall not exceed one-half the annual compensation received by such person at the time of retirement and in no case shall exceed four hundred dollars (\$400.00).

APPROVED June 6, 1911.

#### TRANSFER AND TRANSPORTATION OF PUPILS.

§ 1. Amends section 121, Act of 1909.

§ 121. As amended, permits transfer and transportation of fewer than six pupils—district funds.

(HOUSE BILL No. 326. APPROVED JUNE 2, 1911.)

AN ACT to amend section 121 of "An Act to establish and maintain a system of free schools," approved June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 121 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, be amended to read as follows:

§121. Pupils may be transferred from one district to another upon the written consent of a majority of the directors of each district, which written consent shall be filed with the treasurer and shall be evidence of such consent.

The duty of collecting the amount due on account of pupils transferred shall devolve upon the directors of the district in which the school was taught.

Whenever the number of children between the ages of six and sixteen years, in any district school shall be fewer than six, it shall be lawful for the directors of such district to arrange for the transfer of pupils and, when necessary, provide free transportation for them to a neighboring school.

Such transfer and free transportation shall be held to be a compliance with paragraph nine of section 114 of this Act, entitling the said district to receive its share of the funds distributed in accordance with section 35 of this Act.

APPROVED June 2, 1911.

#### UNIVERSITY OF ILLINOIS—STATE GEOLOGICAL SURVEY, EXPENDITURES.

§ 1. Amends section 12, Act of 1905.

§ 12. Commission may expend same amount as U. S. Geological Survey.

(SENATE BILL NO. 442. APPROVED MAY 25, 1911.)

AN ACT to amend section 12 of an Act entitled, "*An Act to establish and create at the University of Illinois, a bureau to be known as the State Geological Survey, defining its duties and providing for the preparation and publication of its reports and maps to illustrate the natural resources of the State, and making appropriation therefor,*" approved May 12, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 12 of an Act entitled, "*An Act to establish and create, at the University of Illinois, a bureau to be known as the State Geological Survey, defining its duties and providing for the preparation and publication of its reports and maps to illustrate the natural resources of the State, and making appropriation therefor,*" approved May 12, 1905, in force July 1, 1905, be and the same is hereby amended to read as follows:

§ 12. The commission may expend in the prosecution of such co-operative work a sum equal to that which shall be expended thereon by the United States Geological Survey.

APPROVED May 25, 1911.



## STATE BOARD OF HEALTH.

## REPORTS OF BIRTHS AND DEATHS—ACT OF 1903 AMENDED.

§ 1. Amends sections 8 and 10, Act of 1903.

§ 8. As amended, allows ten cents for making death report.

§ 10. Fees provided for shall be paid by county.

(HOUSE BILL NO. 53. APPROVED JUNE 7, 1911.)

AN ACT to amend sections eight (8) and ten (10) of an Act entitled, "An Act requiring reports of births and deaths, and the recording of the same and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named," approved May 6, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections eight (8) and ten (10) of an Act entitled, "An Act requiring reports of births and deaths, and the recording of the same and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named," approved May 6, 1903, in force July 1, 1903, be amended so as to read as follows:

§ 8. It shall be the duty of the commissioners of health, or the city or village officials in the cities referred to in section 4 of this Act, by whom burial or removal permits are issued, and to whom certificates or reports of death are presented, to deliver to the State Board of Health at Springfield, on or before the tenth day of each month all certificates of death presented to him during the preceding month, and for each death report so made such official shall be paid the sum of ten (10) cents.

§ 10. The fees provided in sections 2, 7 and 8 of this Act are hereby made and declared to be a charge upon the county in which said fees may accrue, and the county clerk of the respective counties shall, upon the request of any person entitled to said fees in his county, issue to such person his warrant upon the county treasurer of said county for the amount of fees due such person under this Act, and the county treasurer of said county shall pay the same upon presentation out of any money belonging to the county not otherwise appropriated: *Provided*, that no payment shall be made under the provisions of sections 2, 7 and 8 of this Act in the case of still birth where the period of gestation is less than seven months.

It shall be the duty of the board of supervisors in counties under township organization, and the board of county commissioners in counties not under township organization, to appropriate such sums as may be necessary for said purpose.

APPROVED June 7, 1911.

## STATE FOOD COMMISSIONER.

## DAIRY AND FOOD PRODUCTS—ACT OF 1907 AMENDED.

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| <p>§ 1. Amends sections 1, 3, 4, 9, 10, 11, 12, 20, 21 and 40, and adds sections 20a and 39a, Act of 1907.</p> <p>§ 1. Appointment of State Food Commissioner—Food Standard Commission—assistants—salaries—reports.</p> <p>§ 3. Refusal to assist inspector a misdemeanor.</p> <p>§ 4. Samples marked or sealed—notice—evidence—<i>prima facie</i> proof.</p> <p>§ 9. Misbranded defined.</p> | <p>§ 10. Condemnation and confiscation of misbranded or adulterated foods.</p> <p>§ 11. Vinegar to be branded.</p> <p>§ 12. Extracts to be labeled.</p> <p>§ 20. Instruments for measuring milk and cream standards.</p> <p>§ 21. Underreading Babcock test prohibited.</p> <p>§ 40. Preliminary hearing by the commissioner.</p> <p>§ 20b. License to operate milk or cream tester—fees.</p> <p>§ 39a. Penalties.</p> |
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(HOUSE BILL NO. 152. APPROVED JUNE 6, 1911.)

AN ACT to amend sections 1, 3, 4, 9, 10, 11, 12, 20, 21, and 40 of an Act entitled, "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, and in force July 1, 1907, and to add thereto two new sections to be known as sections 20a and 39a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 3, 4, 9, 10, 11, 12, 20, 21 and 40 of an Act entitled, "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated, or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties and to repeal all acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, and in force July 1, 1907, be and the same are hereby amended, and that said Act be and is hereby further amended by adding thereto two additional sections to be known as sections 20a and 39a, which said sections as amended and said additional sections shall read as follows:

§ 1. That the Governor shall appoint a commissioner who shall be known as the State Food Commissioner, who shall be a citizen of the State of Illinois, and who shall hold his office for a term of four years and until his successor is appointed and qualified, and who shall receive a salary of thirty-six hundred dollars per annum, and his necessary expenses incurred by him in the discharge of his official duties, and who

shall be charged with the enforcement of all laws that now exist or that hereafter may be enacted in this State regarding the production, manufacture, sale, and labeling of food as herein defined, and to prosecute or cause to be prosecuted any person, firm or corporation, or agent thereof, engaged in the manufacture or sale of any article manufactured or sold in violation of the provisions of any such law or laws. The Governor shall also appoint, from time to time, as required, a Food Standard Commission, for the purpose of determining and adopting standards of quality, purity or strength, for food products, for the State of Illinois, to consist of three members, one of whom shall be the State Food Commissioner or his representative, who shall serve without extra pay; one of whom shall be a representative of the Illinois food manufacturing industries, and one of whom shall be an expert food chemist of known reputation; all to be citizens of the State of Illinois, who shall receive fifteen dollars (\$15.00) per day for a period not exceeding thirty (30) days in one year, and necessary expenses incurred during the time employed in the discharge of their duties: *Provided*, that said Food Standard Commission, in determining and adopting a standard of quality, purity, or strength, of milk or cream, shall fix such standard as may be determined solely by the examination and test of milk or cream and the can or receptacle in which it is placed.

The said commissioner is hereby authorized to appoint, with the advice and consent of the Governor, one assistant commissioner, who shall be a practical dairyman, whose salary shall be three thousand dollars (\$3,000.00) per annum and expenses incurred in official duties. One chief chemist who shall be known as State Analyst, whose salary shall be twenty-five hundred dollars (\$2,500.00) per annum and expenses incurred in the discharge of official duties. One attorney whose salary shall be eighteen hundred dollars (\$1,800.00) per annum, and expenses incurred in the discharge of official duties. One chief clerk, whose salary shall be eighteen hundred dollars (\$1,800.00) per annum and expenses incurred in the discharge of official duties. One assistant clerk, whose salary shall be twelve hundred dollars (\$1,200.00) per annum and expenses incurred in the discharge of official duties. Three stenographers at one thousand dollars (\$1,000.00) per annum. Twelve inspectors whose salaries shall be as follows: For the first two years of service, twelve hundred dollars each, annually; for the third year of service, fourteen hundred dollars each, annually; and for each succeeding year of service an additional increase of one hundred dollars per year each, until the maximum of eighteen hundred dollars a year each is attained, and expenses incurred in the discharge of their official duties. Said commissioner shall also have authority to appoint one bacteriologist at eighteen hundred dollars (\$1,800.00) per annum and expenses incurred in the discharge of his official duties; and seven analytical chemists whose salaries shall be as follows: For the first two years of service, twelve hundred dollars, each, annually; for the third year of service, fourteen hundred dollars each, annually; for the fourth year of service, fifteen hundred dollars each, annually, and for each

succeeding year of service an additional increase of one hundred dollars per year each, until the maximum of eighteen hundred dollars per year is attained, and expenses incurred in the discharge of their official duties, and one laboratory janitor at seven hundred and twenty dollars (\$720.00) per annum.

The said commissioner shall make annual reports to the Governor not later than the 15th of January, of his work and proceedings, and shall report in detail the number of inspectors he has appointed and employed, with their expenses and disbursements and the amount of salary paid the same, and he may, from time to time, issue bulletins of information, when in his judgment the interests of the State would be promoted thereby.

The said commissioner shall maintain an office and laboratory, where the business of said department may be conducted. This section shall not effect [affect] the term of office of the present commissioner, and he shall be regarded as having been appointed under the provisions of this Act.

The Food Commissioner shall make analyses and examinations for the State charitable institutions, of foods, drugs, and such other supplies as the laboratory of the State Food Commission is equipped and prepared to examine and analyze.

§ 3. REFUSAL TO ASSIST INSPECTOR A MISDEMEANOR.] Whoever, by himself, his agent, employé, or servant, hinders, obstructs or in any way interferes with any inspector, analyst, or officer appointed hereunder, in the performance of his duty, or in the exercise of his powers as defined in this Act, or whoever being an employé of a railroad, express company, or other common carrier refuses or fails upon request to assist the State Food Commissioner, the assistant commissioner, the State Analyst, or any inspector appointed hereunder in tracing, finding or disclosing the presence of any article of food prohibited by law and in securing samples thereof as provided for in section 2 of this Act, shall be deemed guilty of a misdemeanor and shall be punished as hereinafter provided for.

§ 4. The person taking such sample as provided for in section 2 of this Act, shall in the case of bulk or broken package goods, divide the same into two equal parts, as nearly as may be, and in the case of sealed and unbroken packages, he shall select two of said packages, which two said packages shall constitute the sample taken, and properly to identify the same, he shall, in the presence of the person from whom the same is taken, mark or seal each half or part of such sample with a paper seal or otherwise, and shall write his name thereon and number each part of said sample with the same number, and also write thereon the name of the said dealer in whose place of business the sample is found, and the person from whom said sample is taken shall also write his own name thereon, and at the same time the person taking said sample shall give notice to such person from whom said sample is taken that said sample was obtained for the purpose of examination by the State



Food Commissioner. One part of said sample shall be taken by the person so procuring the same to the State Analyst or other competent person appointed for the purpose of making examinations or analyses of samples so taken, and the person taking such sample shall tender to the person from whom it is taken the value of that part thereof so retained by the person taking said sample; the other part of said sample shall be delivered to the person from whom said sample is taken. If the person from whom said sample is taken has recourse upon the manufacturer or guarantor, either by operation of law or under contract for any failure on the part of said sample to comply with the provisions of this Act, then said person from whom said sample is taken shall retain for the period of six months that part of said sample so delivered to him in order that said manufacturer or guarantor may have the same examined or analyzed if he so desires: *Provided*, that the person procuring said sample may securely pack and box that part thereof retained by him and send the same to the State Analyst or other competent person appointed hereunder, and the testimony of the person procuring said sample that he did procure the sample and that he sealed and numbered the same as herein provided, and that he wrote his name thereon, and that he packed and boxed said part thereof and sent the same to the State Analyst or other competent person appointed hereunder, and the testimony of the person analyzing said sample that he received the same in apparent good order, that said sample was sealed, and that the number thereof and the name of the sender, as herein provided for, was on said sample, and that the seal at the time the same was received was unbroken, shall be *prima facie* evidence that the sample so received is the sample that was sent, and that the contents thereof are the same and in the same condition as at the time the person so procuring said sample parted with the possession thereof, and the testimony of said two witnesses as above shall be sufficient to make such *prima facie* proof.

§ 9. MISBRANDED DEFINED.] The term "misbranded" as used herein, shall apply to all articles of food or drink, or articles which enter into the composition of food or drink, the packages or label[s] of which shall bear any statement, design, or device regarding such article, or the ingredients or substance contained therein which shall be false or misleading in any particular; and to any such products which are falsely branded as to manufacturer, packer, or dealer who sells the same or as to the State, territory, or country in which it is manufactured or produced. That for the purpose of this Act an article shall also be deemed to be misbranded—

In case of food:

*First*—If it be an imitation of or offered for sale under the distinctive name of another article.

*Second*—If it be labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so, or if the contents of a package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package,

or if it shall fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative or preparation of any such substances contained therein.

*Third*—If in any package form and the contents are stated in terms of weight or measure, they are not correctly and plainly stated on the outside of the package.

*Fourth*—If it be a manufactured article of food or food sold in package form, and is not distinctly labeled, marked or branded with the true name of the article, and with either the name of the manufacturer and place of manufacture, or the name and address of the packer or dealer who sells the same.

*Fifth*—If the package containing it or its label shall bear any statement, design or device regarding the ingredients of the substance contained therein, which statement, design or device shall be false or misleading in any particular: *Provided*, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in following cases:

1st—In case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where the article has been manufactured or produced.

2d—In case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations or blends, and the word "compound," "imitation" or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided*, that the term "blend," as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only; and as applied to alcoholic beverages, only those distilled spirits shall be regarded as "like substances" which are distilled from the fermented mash of grain and are of the same alcoholic strength: *And, provided, further*, that nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods, which contain no unwholesome added ingredients to disclose their trade formulas, except in so far as the provisions of this Act may require to secure freedom from adulteration or misbranding.

3d—In the case of mixtures of corn syrup (glucose) or corn sugar (dextrose) or corn sugar syrup, with cane or beet sugar (sucrose) or cane or beet sugar syrup, in food, if the maximum percentage of corn syrup (glucose), or corn sugar (dextrose) or corn sugar syrup, in such article of food be plainly stated on the label.

§ 10. CONDEMNATION AND CONFISCATION OF MISBRANDED OR ADULTERATED FOODS.] Any article of food or drink or liquor that is adulterated or misbranded within the meaning of this Act, or that is made, labeled or branded contrary to the provisions of this Act, or that does

Act, and is being sold or offered for sale or exposed for sale within the State of Illinois, shall be liable to be proceeded against in any court of record or before any judge thereof, or before any justice of the peace within whose jurisdiction the same may be found, and seized for condemnation and confiscation; and authority and jurisdiction are hereby vested in the several courts of record, the judges thereof in vacation, and the several justices of the peace, to issue the warrant and to hear and determine the proceedings herein provided for. Such proceedings shall be by complaint, verified by affidavit, and in the name of the People of the State of Illinois against the article or articles proceeded against, particularly describing the same, the place where they are located, the name of the person, firm or corporation in whose possession they are found, and wherein they violate the provisions of this Act. Thereupon said court, judge or justice of the peace shall issue a warrant directed to the sheriff, bailiff or any constable of the county, commanding such officer to seize and take into his possession the article or articles described in the complaint, and bring the same before the court, judge or justice of the peace who issued the warrant, and to summon the person, firm or corporation named in the warrant, and any other person who may be found in possession of the said articles to appear at the time and place therein specified, which service shall be made in the same manner as service of process in civil cases in such court or before such justice of the peace. The hearing upon such complaint shall be at the time and place specified in the warrant, which time shall be not less than five (5) days nor more than fifteen (15) days from the date of issuing the warrant: *Provided*, that if the execution and service of the warrant as aforesaid is had less than three (3) days before the return day of the warrant, then the claimant shall be entitled to a reasonable continuance. Upon the hearing the complaint may be amended, and any person, firm or corporation that appears and claims the said article or articles shall be required to file its claim in writing. Except as herein provided, the proceedings shall conform as near as may be to the proceedings upon search warrants, except that either party may demand a trial by jury upon any issue of fact joined in any such case. And if such article is condemned as being adulterated or misbranded, or of a poisonous or deleterious character within the meaning of this Act, or as made, labeled or branded contrary to the provisions of this Act, or as not conforming to the definition or analytical requirements provided in this Act, the same shall be confiscated and disposed of by destruction or sale, as the court, judge or justice of the peace may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the treasury of the State of Illinois, but such article shall in no instance be sold contrary to the provisions of this Act: *Provided, however*, that upon the payment of the costs of such proceedings and the execution and delivery of a good and sufficient bond to the State Food Commission for the use of the People of the State of Illinois, to the effect that such articles shall not be sold or otherwise disposed of contrary to the provisions of this Act, the court may, by order, direct that such articles be delivered to the owner thereof.



§ 11. VINEGAR TO BE BRANDED.] All vinegar made by fermentation and oxidation without the intervention of distillation, shall be branded with the name of the fruit or substance from which the same is made. All vinegar made wholly or in part from distilled liquor shall be branded "distilled vinegar," and shall not be colored in imitation of cider vinegar. All vinegar shall be made wholly from the fruit or grain from which it purports to be or is represented to be made, shall contain no foreign substance, and shall contain not less than four per cent, by weight, of absolute acetic acid. Any vinegar made or manufactured contrary to the provisions of this section shall be deemed to be adulterated within the meaning of this Act. Any vinegar which is not branded as herein provided shall be deemed to be misbranded within the meaning of this Act.

§ 12. EXTRACTS TO BE LABELED.] Extracts made of more than one principle shall be labeled in a conspicuous manner with the name of each principle, or else with the name of the inferior or adulterant; and in all cases when an extract is labeled with two or more names, such names must be in a conspicuous place on said label, and in no instance shall such mixture be called imitation, artificial or compound, and the name of one of the articles used shall not be given greater prominence than another: *Provided*, that all extracts which cannot be made from the fruit, berry, bean or other part of the plant, and must necessarily be made artificially, as raspberry, strawberry, etc., shall be labeled "imitation" in letters similar in size and immediately preceding the name of the article: *Provided, further*, that prepared cocoanut, containing nothing other than cocoanut, sugar and glycerine, shall be labeled as prepared cocoanut, and when so made need not be labeled "compound" or "mixture." Any such extract not labeled as herein provided for shall [be] deemed to be misbranded within the meaning of this Act.

§ 20. INSTRUMENTS FOR MEASURING MILK AND CREAM STANDARDS.] The State standard milk measure or pipettes shall have for milk a capacity of seventeen and six-tenths cubic centimeters, and the State standard test tube or bottles for milk shall have a capacity of two cubic centimeters at a temperature of sixty degrees Fahrenheit between "zero" and ten on the graduated scale marked on the necks thereof. For cream nine or eighteen grams shall be used, and the standard test tubes or bottles for cream shall have a capacity of three or six cubic centimeters respectively at a temperature of sixty degrees Fahrenheit between "zero" and thirty on the graduated scale marked on the necks thereof, and it is hereby made a misdemeanor to use any other measure, pipette, test tube or bottle to determine the per cent of butter fat where milk or cream is purchased by, or furnished to creameries or cheese factories, and where the value of said milk is determined by the per cent of butter fat contained in the same. Any manufacturer, merchant, dealer, or agent in this State who shall offer for sale or sell a cream or milk pipette or measure, test tube or bottle which is not correctly marked or graduated as herein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in this Act.



§ 21. UNDERREADING BABCOCK TEST PROHIBITED.] It shall be unlawful for the owner, manager, agent, or any employé of a creamery or cheese factory to manipulate or underread the Babcock test, or any other contrivance used for determining the quality or value of milk or cream or to falsify the record thereof, or to pay for such milk or cream on the basis of any measurement except the true measurement as thereby determined.

§ 40. PRELIMINARY HEARING BY THE COMMISSIONER.] When it appears from the examination or analysis that the provisions of this Act have been violated, the Food Commissioner shall cause notice of such fact together with a copy of the findings, to be given to the party or parties from whom the sample was obtained; and to the party, if any, whose name appears upon the label as manufacturer, packer, wholesaler, retailer, or other dealer, by registered mail. The receipt of the postoffice department for such registered notice shall be received as *prima facie* evidence that such notice has been given. The party, or parties, so notified, shall be given an opportunity to be heard under such rules and regulations as may be prescribed as aforesaid. Notices shall specify the date, hour and place of the hearing. The hearing shall be private, and the parties interested therein may appear in person or by attorney. If, after such hearing, the commissioner shall believe this Act has been violated, he shall cause the party or parties whom he believes to be guilty, to be prosecuted forthwith, under the provisions of this Act. No action or prosecution shall be instituted against any person for a violation of the provisions of this Act, unless the same shall have been commenced within six months from the taking of said sample.

§ 20. (b) [a] No person shall operate a milk or cream testing apparatus to determine the percentage of butter fat in milk or cream for the purpose of purchasing the same either for himself or for another without first securing a license from the Dairy and Food Commissioners of this State, authorizing such person to so operate such tester. Any person desiring to secure such license shall make application therefor on a blank to be prepared and provided by the Dairy and Food Commissioner, and such applicant, before being issued such license, shall pass a satisfactory examination in person and prove by actual demonstration that he is competent and qualified to properly use such tester and make an accurate test with the same.

Such license shall be issued for a period of two (2) years from and after the date of its issuance and a fee of one dollar (\$1.00) shall be paid for such license by the licensee upon the issuance thereof. The Dairy and Food Commissioner for just cause shall have authority to revoke any license issued under the provisions of this Act.

The fees collected under the provisions of this section shall be paid into the State treasury monthly by the dairy and food commissioner.

§ 39. (a) Whoever offers for sale, exposes for sale, or sells any article of food which does not conform to the definition or analytical requirements provided for in section 39 of this Act shall be guilty of a misdemeanor and shall be punished as herein provided.

APPROVED June 6, 1911.

## FEEDING STUFFS—ACT OF 1905, AMENDED.

§ 1. Amends sections 1 and 2, Act of 1905.

§ 1. Certified statement to be affixed and copy furnished purchaser.

§ 2. Term defined.

(HOUSE BILL NO. 153. APPROVED JUNE 2, 1911.)

AN ACT to amend sections 1 and 2 of an Act entitled, "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 2 of an Act entitled "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, in force July 1, 1905, be and are hereby amended to read as follows:

§ 1. Every lot or parcel of concentrated commercial feed stuffs, as defined in section 2 of this Act, used for feeding farm live stock, sold or offered or exposed for sale within this State, shall have affixed thereto, in a conspicuous place on the outside thereof, a plainly printed statement in the English language clearly and truly certifying—

- (a) the net weight of the contents of the package, lot or parcel;
- (b) the name, brand or trade mark;
- (c) the name and principal address of the manufacturer or the person responsible for placing the commodity on the market;
- (d) the minimum per centum of crude protein; the minimum per centum of crude fat; and the maximum per centum of crude fibre; (to be determined by the methods adopted by the Association of Official Agricultural Chemists of the United States).

(e) the specific name of each ingredient used in its manufacture. A copy of said statement shall be filed with the State Food Commissioner on or before January 10th of each year.

If the feed stuff is sold in bulk, or if it is put up in packages belonging to the purchaser, the agent or dealer shall, upon the request of the purchaser, furnish him with the certified statement described in this section.

§ 2. The term "concentrated commercial feed stuff," as used in this Act, shall include cottonseed meals, linseed meals, pea meals, bean meals, peanut meals, cocoanut meals, gluten meals, gluten feeds, maize feeds, starch feeds, sugar feeds, sucrene feeds, and all oil meals of all kinds, dried distillers' grains, dried brewers' grains, dried beef refuse, malt sprouts, malt refuse, hominy feeds, cerecline [cerealine] feeds, rice meals, oat feeds, corn and oat feeds, corn, oat and barley feeds, chop feeds, corn bran, ground beef or fish, scraps, meat and bone meals, mixed feeds, except as otherwise provided in section 3 of this Act—clover and alfalfa meals, any mixture of any of the before mentioned substances with each other or with any other substance, condimental stock and poultry foods, medicinal stock and poultry foods consisting of or containing any of the substances included as concentrated commercial feed stuff as defined by this

section, patented, proprietary or trade-marked stock and poultry foods, and all other materials of a similar nature intended for stock or poultry, not included in section 3 of this Act.

APPROVED June 2, 1911.

#### SANITARY INSPECTION.

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| § 1. Light, drainage, plumbing and ventilation of establishments.          | § 7. Cuspidors.                       |
| § 2. Care of rooms, fixtures, utensils, etc.—daily removal of refuse, etc. | § 8. Expectoration—washing hands.     |
| § 3. Sidewalls, ceilings and floor—construction and care.                  | § 9. Sleeping in work room.           |
| § 4. Doors and screens.  | § 10. Contagious or venereal disease. |
| § 5. Toilet rooms and lavatories.  | § 11. Enforcement of Act.             |
| § 6. What declared nuisance.   | § 12. Fines—prosecutions.             |
|  | § 13. Penalties.                      |
|  | § 14. Repeal.                         |

(SENATE BILL NO. 174. APPROVED JUNE 5, 1911.)

*AN ACT to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food, under insanitary, unhealthful or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every building, room, basement, inclosure or premises, occupied, used or maintained as a bakery, confectionery, cannery, packing house, slaughter house, creamery, cheese factory, restaurant, hotel, grocery, meat market, or as a factory, shop, warehouse, any public or place or manufacturing establishment used for the preparation, manufacture, packing, storage, sale or distribution of any food as defined by statute, which is intended for sale, shall be properly and adequately lighted, drained, plumbed and ventilated, and shall be conducted with strict regard to the influence of such conditions upon the health of the operatives, employés, clerks, or other persons therein employed, and the purity and wholesomeness of the food therein produced, prepared, manufactured, packed, stored, sold or distributed.

§ 2. The floors, sidewalls, ceilings, furniture, receptacles, implements and machinery of every such establishment or place where such food intended for sale is produced, prepared, manufacture[d], packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of such food products, shall at no time be kept or permitted to remain in an unclean, unhealthful or insanitary condition; and for the purpose of this Act, unclean, unhealthful and insanitary conditions shall be deemed to exist if food in the process of production, preparation, manufacture, packing, storing, sale, distribution or transportation is not securely protected from flies, dust, dirt, and, as far as may be necessary, by all reasonable means, from all other foreign or injurious contamination; or if the refuse, dirt or waste products subject not conform to the definition or analytical requirements provided in this

to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing or transportation of such food are not removed daily, or if all trucks, trays, boxes, buckets or other receptacles, or the shutes, platforms, racks, tables, shelves, and knives, saws, cleavers or other utensils, or the machinery used in moving, handling, cutting, chopping, mixing, canning or other processes are not thoroughly cleaned daily; or if the clothing of operatives, employes, clerks or other persons therein employed, is unclean.

§ 3. The sidewalls and ceilings of every bakery, confectionery, creamery, cheese factory, and hotel or restaurant kitchen shall be so constructed that they can easily be kept clean; and every building, room, basement or inclosure occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food shall have an impermeable floor made of cement or tile laid in cement, brick, wood or other suitable material which can be flushed and washed clean with water.

§ 4. All such factories, buildings, and other places containing food, shall be so provided with proper doors and screens adequate to prevent contamination of the product from flies.

§ 5. Every such building, room, basement, inclosure, or premises occupied, used or maintained for the production, preparation, manufacture, canning, packing, storage, sale or distribution of such food, shall have adequate and convenient toilet rooms, lavatory or lavatories. The toilet rooms shall be separate and apart from the room or rooms where the process of production, preparation, manufacture, packing, storing, canning, selling and distributing is conducted. The floors of such toilet rooms shall be of cement, tile, wood, brick or other non-absorbent material, and shall be washed and scoured daily. Such toilet or toilets shall be furnished with separate ventilating flues and pipes discharging into soil pipes or shall be on the outside of and well removed from the building. Lavatories and wash rooms shall be adjacent to toilet rooms, or when the toilet is outside of the building, the wash room shall be near the exit to the toilet and shall be supplied with soap, running water and towels and shall be maintained in a sanitary condition.

§ 6. If any such building, room, basement, inclosure or premises occupied, used or maintained for the purposes aforesaid, or if the floors, sidewalls, ceilings, furniture, receptacles, implements, appliances or machinery of any such establishment, shall be constructed, kept, maintained, or permitted to remain in a condition contrary to any of the requirements or provisions of the preceding five (5) sections of this Act, the same is hereby declared a nuisance, and any toilet, toilet room, lavatory or wash room as aforesaid, which shall be constructed, kept, maintained or permitted to remain in a condition contrary to the requirements or provisions of section five (5) of this Act, is hereby declared a nuisance; and any car, truck, or vehicle used in the moving or transportation of any food product as aforesaid, which shall be kept or permitted to remain in an unclean, unhealthful or insanitary condition is



hereby declared a nuisance. Whoever unlawfully maintains, or allows or permits to exist a nuisance as herein defined shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished as herein provided.

§ 7. Every person, firm or corporation operating or maintaining an establishment or place where food is produced, prepared, manufactured, packed, stored, sold or distributed shall provide the necessary cuspidors for the use of the operatives, employés, clerks, and other persons, and each cuspidor shall be thoroughly emptied and washed out daily with water or a disinfectant solution, and five ounces thereof shall be left in each cuspidor while it is in use. Whoever fails to observe the provisions of this section shall be guilty of a misdemeanor, and punished as herein-after provided.

§ 8. No operative, employé, or other persons shall expectorate on the food or on the utensils or on the floors or sidewalls of any building, room, basement or cellar where the production, preparation, manufacture, packing, storing or sale of any such food is conducted. Operatives, employés, clerks, and all other persons who handle the material from which such food is prepared or the finished product, before beginning work, or after visiting toilet or toilets, shall wash their hands thoroughly in clean water. Whoever fails to observe or violates the provisions of this section shall be guilty of a misdemeanor and punished by a fine of not more than twenty-five dollars.

§ 9. It shall be unlawful for any person to sleep, or to allow or permit any person to sleep in any work room of a bake shop, kitchen, dining room, confectionery, creamery, cheese factory, or any place where food is prepared for sale, served or sold, unless all foods therein handled are at all times in hermetically sealed packages.

§ 10. It shall be unlawful for any employer to require, suffer or permit any person who is affected with any contagious or venereal disease to work, or for any person so affected to work, in a building, room, basement, inclosure, premises or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution, or transportation of food.

§ 11. It shall be the duty of the State Food Commissioner and those appointed by him to enforce this Act, and for that purpose the State Food Commissioner and his appointees shall have full power at all times to enter every such building, room, basement, inclosure or premises occupied or used or suspected of being occupied or used for the production, preparation or manufacture for sale, or the storage, sale, distribution or transportation of such food, to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid; and if upon inspection any such food producing or distributing establishment, conveyance, or employer, employé, clerk, driver or other person is found to be violating any of the provisions of this Act, or if the production, preparation, manufacture, packing, storage, sale, distribution or transportation of such food is being conducted in a manner detrimental to the health of the employés and operatives, or to the character or qual-

ity of the food therein being produced, manufactured, packed, stored, sold, distributed or conveyed, the officer or inspector making the inspection or examination shall report such conditions and violations to the State Food Commissioner. The State Food Commissioner or the assistant commissioner shall thereupon issue a written order to the person, firm or corporation responsible for the violation or condition aforesaid to abate such condition or violation or to make such changes or improvements as may be necessary to abate them, within such reasonable time as may be required in which to abate them. Notice of such order may be served by delivering a copy thereof to said person, firm or corporation, or by sending a copy thereof by registered mail, and the receipt thereof through the postoffice shall be *prima facie* evidence that notice of said order has been received. Such person, firm or corporation shall have the right to appear in person or by attorney before the State Food Commissioner, or the person appointed by him for such purpose, within the time limited in the order, and shall be given an opportunity to be heard and to show why such order or instructions should not be obeyed. Such hearing shall be under such rules and regulations as may be prescribed by the State Food Commissioner. If after such hearing it shall appear that the provisions or requirements of this Act have not been violated, said order shall be rescinded. If it shall appear that the requirements or provisions of this Act are being violated, and that the person, firm or corporation notified as aforesaid is responsible therefor, said previous order shall be confirmed or amended, as the facts shall warrant, and shall thereupon be final, but such additional time as is necessary may be granted within which to comply with said final order. If such person, firm or corporation is not present or represented when such final order is made, notice thereof shall be given as above provided. On failure of the party or parties to comply with the first order of the State Food Commissioner within the time prescribed, when no hearing is demanded, or upon failure to comply with the final order, within the time specified, the State Food Commissioner shall certify the facts to the State's attorney of the county in which such violation occurred, and such State's attorney shall proceed against the party or parties for the fines and penalties provided by this Act, and also for the abatement of the nuisance: *Provided*, that the proceedings herein prescribed for the abatement of nuisances as defined in this Act shall not in any manner relieve the violator from prosecution in the first instance for every such violation, nor from the penalties for such violation prescribed by section 13 of this Act.

§ 12. All fines collected under the provisions of this Act shall be paid into the county treasury of the county in which the prosecution is brought, and it shall be the duty of the State's attorneys in the respective counties to prosecute all persons violating or refusing to obey the provisions of this Act.

§ 13. Whoever violates any of the provisions of this Act, or who refuses to comply with any lawful order or requirement of the State Food Commissioner, duly made in writing as provided in section 11 of

this Act, shall be guilty of a misdemeanor and on conviction shall be punished for the first offense by a fine of not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00), and for the second and subsequent offenses by a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or by imprisonment in the county jail for not more than ninety days, or both, in the discretion of the court; and each day after the expiration of the time limit for abating insanitary conditions and completing improvements to abate such conditions, as ordered by the State Food Commissioner, as aforesaid, shall constitute a distinct and separate offense.

§ 14. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

APPROVED June 5, 1911.

## STATE HISTORICAL LIBRARY AND NATURAL HISTORY MUSEUM.

### HISTORICAL LIBRARY—SALARY OF LIBRARIAN.

§ 1. Amends section 4, [Act of 1889.]	§ 4. As amended, increases salary of librarian.
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(HOUSE BILL NO. 668. APPROVED JUNE 10, 1911.)

AN ACT to amend "*An Act to establish the Illinois Historical Library and to provide for its care and maintenance and to make an appropriation therefor,*" approved May 25, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 4 of an Act to establish the Illinois Historical Library and to provide for its care and maintenance and to make appropriation therefor be amended to read as follows:

§ 4. The said trustees shall have power and they are hereby required to make all necessary rules, regulations and by-laws not inconsistent with law to carry into effect the purposes of this Act, and to procure from time to time as may be possible and practicable, at reasonable cost, all books, pamphlets, manuscripts, monographs, writing, and other material of historical interest and useful to the historian bearing upon the political, physical, religious or social history of the State of Illinois from the earliest known period of time. They shall also have power to select some person having the requisite qualifications as librarian, whose salary shall be two thousand dollars per annum.

APPROVED June 10, 1911.

## NATURAL HISTORY MUSEUM—SALARY OF CURATOR.

§ 1. Amends section 4, Act of 1877.

§ 4. Appointment of curator—  
salary.

(HOUSE BILL NO. 472. APPROVED MAY 29, 1911.)

AN ACT to amend section 4 of an Act entitled, "*An Act to establish a State Historical Library and Natural History Museum, to provide for its care and maintenance and to appropriate money therefor,*" approved May 25, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 4 of an Act entitled, "*An Act to establish a State Historical Library and Natural History Museum, to provide for its care and maintenance and to appropriate money therefor,*" be and the same is hereby amended so as to read as follows:

§ 4. It shall be the duty of said trustees to appoint a curator, who shall be a person of competent scientific attainments, and who shall possess a practical knowledge of the science of geology. Such curator shall receive a salary of three thousand dollars (\$3,000) per annum, payable in equal monthly installments on the warrant of the Auditor of Public Accounts out of any moneys in the State treasury appropriated for the payment of the salaries of the officers of the State government.

APPROVED May 29, 1911.

## STATE LANDS.

## ARMORY IN CHICAGO—SALE AND CONVEYANCE.

§ 1. Commission named—description of  
property.

§ 3. Deed of conveyance.

§ 2. Power and authority.

§ 4. Money covered into State treasury.

(HOUSE BILL NO. 263. APPROVED JUNE 9, 1911.)

AN ACT providing for the sale and conveyance of all the right, title and interest of the State of Illinois in and to the building and lands now owned by the State of Illinois, and used for an armory by the Second Regiment, Illinois National Guard.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor and the Adjutant General are hereby constituted a commission for the purpose of selling and conveying all the right, title and interest of the State of Illinois in and to the building and lands now owned by the State of Illinois, and used for an armory by the Second Regiment, Illinois National Guard, situated in the city of Chicago, county of Cook and State of Illinois, and more particularly described as follows: Lots ten (10), thirteen (13), fourteen (14), fifteen (15), and the west half of lot sixteen (16) in block forty-two (42), in Carpenter's addition to Chicago, in the west



one-half of the southeast quarter of section eight (8), township thirty-nine (39) north, range fourteen (14) east of the third (3d) principal meridian.

§ 2. The said commission is hereby vested with power and authority to sell to the highest and best bidder for cash at public sale, all the right, title and interest of the State of Illinois, in and to the building and land described in section 1 of this Act. Said commission may, if they deem it to the best interest of the State, offer for sale the building separately and the land separately. Said commission shall have the power to reject any and all bids, and again offer such building and land for public sale.

§ 3. Upon the sale of the lands described in section 1 of this Act, and upon the payment of the consideration bid therefor, the commissioners provided for herein shall make, execute, acknowledge and deliver to the purchaser or purchasers thereof a deed of conveyance which shall be good and sufficient to vest in such purchaser or purchasers all the right, title and interest of the State of Illinois in and to the lands described in section 1 of this Act.

§ 4. Said commission shall cover into the State treasury, to be credited to the general revenue fund, the money received from the sale of the building and land described in section 1 of this Act.

APPROVED June 9, 1911.

#### CONVEYANCE TO CITY OF EVANSTON.

§ 1. Conveys certain lands to city of Evanston for park and boulevard purposes.	§ 2. Terms of conveyance.
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(SENATE BILL NO. 157. APPROVED MAY 22, 1911.)

*AN ACT granting certain lands in the city of Evanston, and the title of certain submerged lands adjoining said city, to the city of Evanston for park and boulevard purposes.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all lands now owned, and which hereafter may be owned, by the State of Illinois, situated in the city of Evanston, south of University Place, produced east in said city and north of Greenleaf street produced east, adjacent to and fronting on the shore of Lake Michigan, and all right, title and interest of the State of Illinois, and in and to the submerged lands, covered by the waters of Lake Michigan, adjoining said city of Evanston, south of and between University Place, produced east and Greenleaf street, projected east (which lie between the shore lines of said lake and the line of commercial navigability of said lake) be, and the same are hereby, granted and conveyed to the city of Evanston to be held for the use and benefit of the public park and boulevard purposes and for no other purposes whatever.

§ 2. As the sole consideration for such conveyance of the rights of the State of Illinois, and as an irrevocable condition precedent, it is hereby provided that the city of Evanston in so taking title to the lands and submerged lands hereby conveyed and granted, does so solely and only for a public purpose, and that such lands and no part of the same

shall ever be used in any other way whatsoever, than for a place of public resort and pleasure grounds, nor shall the city of Evanston have any right to sell, lease, incumber, convey or transfer the same, or any part of the same, at any time hereafter; and it is hereby provided that if by reason of the conveyance of the lands and submerged lands herein specified, and any filling or work done in connection therewith, that any land shall be formed or made other than the lands so granted or conveyed, that such land shall not be regarded as an accretion to the city of Evanston, but that the same shall be owned by the people of the State of Illinois.

If the said city of Evanston shall at any time sell, or attempt to sell, lease or attempt to lease, transfer, or attempt to transfer, convey, or attempt to convey, by deed, ordinance, grant, permit or in any other way whatsoever, any of the lands herein and hereby conveyed and granted, all of the lands hereby granted and conveyed shall thereupon revert to the State of Illinois, and all rights of the said city of Evanston shall thereupon cease and come to an end. And upon the city of Evanston accepting the conveyance herein provided for, it shall be deemed and held, to have accepted all of the provisions of this Act, and the same shall be and constitute an irrevocable contract between the State of Illinois and the said city of Evanston subject only to the city of Evanston being divested of its title upon the contingency herein provided for.

APPROVED May 22, 1911.

#### CONVEYANCE TO WILMETTE PARK DISTRICT.

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|---|---------------------------|
| § 1. Conveys certain lands to Wilmette Park District for park purposes. | § 2. Terms of conveyance. |
|---|---------------------------|

(SENATE BILL NO. 223. APPROVED MAY 25, 1911.)

*AN ACT conveying certain lands to Wilmette Park District for the purpose of establishing a public park or pleasure ground thereon.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all that parcel of land made by the Sanitary District of Chicago by filling in the bed of Lake Michigan, bounded on the southwest by the northeasterly line of block seven in Inverness, a subdivision of blocks 1, 2, 3, 4, 5, 6, 7, 8, 11, 12 and 13 of Westerfield's Addition to Wilmette, and by the northeasterly line of lot one in Furness' resubdivision of blocks 9 and 10 in Westerfield's Addition to Wilmette, and by the northeasterly line of that piece of land lying between said block seven in Inverness and said lot one in Furness' resubdivision aforesaid, and having for its other boundary lines the breakwater, inclosing said made land, heretofore constructed by said Sanitary District of Chicago, all in Cook county and State of Illinois, be and the same is hereby granted to the Wilmette Park District, to be held, managed and controlled by said Wilmette Park District, for park purposes.

§ 2. As the sole consideration for the rights hereby conferred upon the Wilmette Park District, and as an irrevocable condition precedent,

it is hereby provided that the Wilmette Park District in so taking possession of the lands and submerged lands hereinbefore mentioned, does so solely and only for a public purpose, and that such land and no part of the same shall ever be used in any other way whatsoever, than for a place of public resort and pleasure grounds, nor shall the Wilmette Park District have any right to sell, lease, incumber, convey or transfer the same, or any part of the same, at any time hereafter; and it is hereby provided that if by reason of anything in this Act granted, or any filling or work done in connection therewith by the Wilmette Park District, or from natural causes, any land shall be formed or made, that such land shall not be regarded as an accretion of the Wilmette Park District, but that the same shall be owned by the people of the State of Illinois.

If the said Wilmette Park District shall at any time sell, or attempt to sell, lease, transfer, or attempt to transfer, convey, or attempt to convey, by deed, ordinance, grant, permit, or in any other way whatsoever, any of the lands herein mentioned, the possession of all of said lands shall thereupon revert to the State of Illinois, and all rights of the said Wilmette Park District in and to the same, or to any improvements thereon, shall thereupon cease and end. Upon the Wilmette Park District accepting the provisions of this Act, it shall be deemed and held to have accepted all of the provisions and restrictions contained in this Act, and the same shall be and constitute an irrevocable contract between the State of Illinois and the said Wilmette Park District, subject to the Wilmette Park District being divested of its possession and rights thereon, upon the contingency herein provided for.

APPROVED May 25, 1911.

## STATE MILITIA.

### MILITARY AND NAVAL CODE—ADJUTANT GENERAL AND ASSISTANTS.

§ 1. Amends section 6, article 3, Act  
of 1909.

§ 6. Qualifications of Adjutant  
General and assistants.

(SENATE BILL No. 255. APPROVED JUNE 2, 1911.)

AN ACT to amend section 6, article III of an Act entitled, "An Act to establish a military and naval code for the State of Illinois," and to repeal all Acts in conflict herewith, approved June 10, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 6, article III, of an Act entitled, "An Act to establish a military and naval code for the State of Illinois, and to repeal all Acts in conflict herewith," approved June 10, 1909, in force July 1, 1909, be amended so as to read as follows:

§ 6. The Adjutant General and his assistants shall be men of military training and experience and each shall have had service as an officer of not less than five years, at least three of which shall have been in the line.

APPROVED June 2, 1911.

## SURVEYORS AND SURVEYS.

### SURVEY OF LANDS RE-ESTABLISHED.

§ 1. Amends section 2, Act of 1901.

§ 2. How corners, etc., re-established — service of notice.

(HOUSE BILL NO. 66. APPROVED MAY 27, 1911.)

AN ACT to amend section 2 of an Act entitled, "An Act to provide for the permanent survey of lands," approved May 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, "An Act to provide for the permanent survey of lands," approved May 10, 1901, in force July 1, 1901, be and the same is hereby amended to read as follows:

§ 2. Whenever one or more proprietors of lands in this State, the corners and boundaries of whose lands are lost, destroyed, or are in dispute, or who are desirous of having said corners and boundaries permanently reestablished, and who will not enter into an agreement as provided by section first of this Act, it shall be lawful for said proprietor or proprietors that they shall cause a notice, in writing, to be served on the owner or owners of adjacent tract or tracts, if known, and residing in this State; or if not known or not residing in this State, by publishing in a public newspaper published in such county, and if no newspaper shall be published, then by posting up in four different public places in said county a written or printed notice to the effect that, on a day named therein, he, she or they will make application to the circuit court of the county in which said lands are situated, at its next succeeding term, for the appointment of a commission of surveyors to make survey of and to permanently establish said corners and boundaries, which notice shall be posted up at least four weeks before the time appointed for said application, and one of said notices shall be in the precinct or township in which said corners and boundaries are situated. If personal service is had on the owner or owners of adjacent lands the same shall be made at least ten days prior to the first day of the term of the circuit court to which such application is made, and if notice is given by publication in a newspaper the same shall be published there-



in once each week for three successive weeks, the first publication to be at least four weeks before the first day of the term of court to which such application is made.

APPROVED May 27, 1911.

## TOWNSHIP ORGANIZATION.

### ORGANIZATION OF TERRITORY CO-EXTENSIVE WITH A MUNICIPALITY.

§ 1. Amends section 20, Act of 1872.

§ 20. As amended, "village" is included.

(HOUSE BILL NO. 269. APPROVED MAY 25, 1911.)

AN ACT to amend section 20 of an Act entitled, "An Act to revise the law in relation to township organization," approved March 4, 1874, and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 20 of an Act entitled, "An Act to revise the law in relation to township organization," approved March 4, 1874, and in force March 4, 1874, be amended so as to read as follows:

§ 20. When, in any county under township organization, there is any territory co-extensive with the limits of a city or village situated therein, and which is not included within any organized town, such territory shall constitute a town by the name of such city or village, and all provisions of this Act shall apply to the town so constituted, the same as if it had been organized in the manner provided in this Act in the case of the organization of new towns.

APPROVED May 25, 1911.

## WILLS.

### DEVISE, ETC., TO WIFE OR HUSBAND OF WITNESS.

§ 1. Amends section 8, Act of 1872.

§ 8. Devise, legacy or interest, etc., to wife or husband of witness void—exception—construction of Act.

(SENATE BILL NO. 248. APPROVED MAY 29, 1911.)

AN ACT to amend section eight (8) of an Act entitled, "An Act in regard to wills," approved March 20, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 8 of an Act entitled, "An Act in regard to wills," approved March 20th, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

§ 8. If any beneficial devise, legacy or interest shall be made or given in any will, testament, or codicil to any person subscribing such will, testament or codicil, as a witness to the execution thereof, or to the wife or husband of such person, such devise, legacy or interest shall, as to such beneficiary thereof, and all persons claiming under him, be null and void, unless such will, testament or codicil be otherwise duly attested by a sufficient number of witnesses, exclusive of such person, according to this Act; and he or she shall be compellable to appear and give testimony on the residue of such will, testament or codicil, in like manner, as if no such devise or bequest had been made. But if such witness or beneficiary would have been entitled to any share of the testator's estate in case the will, testament or codicil was not established, then so much of such share shall be saved to such witness or beneficiary as shall not exceed the value of the said devise or bequest made to him or her as aforesaid.

This Act being remedial in character shall be construed liberally, and shall apply to cases arising on wills of persons deceased, prior to the adoption of this Act, but not finally adjudicated.

APPROVED May 29, 1911.



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## JOINT RESOLUTIONS.

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ADJOURNMENT—JANUARY 11 TO JANUARY 17.

(House Joint Resolution No. 2.)

*Resolved, By the House of Representatives, the Senate concurring herein,*  
That when the two Houses adjourn on Wednesday, January 11, 1911, they stand adjourned until Tuesday, January 17, 1911.

Adopted by the House, January 11, 1911.

Concurred in by the Senate January 11, 1911.

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ADJOURNMENT—JANUARY 18 TO JANUARY 24.

(House Joint Resolution No. 4.)

*Resolved, by the House of Representatives, the Senate concurring herein,*  
That when the two houses adjourn on Wednesday, January 18, 1911, they stand adjourned until Tuesday, January 24, 1911.

Adopted by the House, January 18, 1911.

Concurred in by the Senate January 18, 1911.

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ADJOURNMENT—JANUARY 25 TO JANUARY 31.

(House Joint Resolution No. 11.)

*Resolved, by the House of Representatives, the Senate concurring herein,*  
That when the two houses adjourn on Wednesday, January 25, 1911, they stand adjourned until Tuesday, January 31, 1911.

Adopted by the House, January 25, 1911.

Concurred in by the Senate January 25, 1911.

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ADJOURNMENT—FEBRUARY 2 TO FEBRUARY 9.

(Senate Joint Resolution No. 8.)

*Resolved, by the House of Representatives, the Senate concurring herein,*  
That when the two houses adjourn on Thursday, February 2, 1911, they stand adjourned until Thursday, February 9, 1911.

Adopted by the Senate February 1, 1911.

Concurred in by the House February 2, 1911.



## ADJOURNMENT—FEBRUARY 15 TO FEBRUARY 21.

(House Joint Resolution No. 15.)

WHEREAS, In view of the requirements of the University of Illinois, as set forth in the appropriation bills introduced, it is important that each member of the General Assembly should familiarize himself with the institution add its requirements; therefore be it

*Resolved, By the House of Representatives, the Senate concurring,* That for the purpose of inspecting the present condition and future needs of the University of Illinois, that the members of the General Assembly visit said institution in a body on Thursday, February 16, leaving Springfield on the afternoon of Wednesday; and be it further

*Resolved,* That when the House and Senate adjourn on Wednesday, February 15, that they stand adjourned until Tuesday, February 21, 1911, 10 o'clock a. m.

Adopted by the House February 10, 1911.

Concurred in by the Senate February 11, 1911.

## ADJOURNMENT—FEBRUARY 15 TO FEBRUARY 23.

(Senate Joint Resolution No. 12.)

WHEREAS, The House on February 10, 1911, and the Senate on February 11, 1911, adopted a joint resolution adjourning from February 15, 1911, until February 21, 1911; and,

WHEREAS, Since the adoption of the said resolution it appears that said adjournment should be taken for a longer time on account of Washington's birthday; therefore, be it

*Resolved, by the Senate, the House of Representatives concurring herein,* That said resolution above referred to is hereby rescinded, and that when the two houses adjourn on Wednesday, February 15, 1911, they stand adjourned until Thursday, February 23, 1911.

Adopted by the Senate February 14, 1911.

Concurred in by the House February 15, 1911.

## ADJOURNMENT—FEBRUARY 24 TO MARCH 1.

(House Joint Resolution No. 17.)

*Resolved, by the House of Representatives, the Senate concurring herein,* That when the two houses adjourn on Friday, February 24, 1911, they stand adjourned until Wednesday, March 1, 1911.

Adopted by the House February 24, 1911.

Concurred in by the Senate February 24, 1911.

## ADJOURNMENT—MARCH 16 TO MARCH 21.

(Senate Joint Resolution No. 23.)

WHEREAS, Friday, March 17, is to all Irish and Irish-Americans known as St. Patrick's day and to them is a national holiday, and stirs in their hearts and minds all the spirit of patriotism for which the Irish race is noted; and while in America we have not recognized it by law as a legal holiday, yet the prominent part taken by the Irish and their descendants in the upbuilding and preserving of these United States has caused every American to look upon the day as one for rest, recreation and celebration; and,

WHEREAS, In view of the fact that Thomas McKean, a son of an Irishman, was the President of the Continental Congress, and that John Hancock, Charles Carroll of Carrollton, Mathew Thornton, James Smith, George Taylor, Charles Thomson, Thomas McKean, George Read, Thomas Nelson, Edward Rutledge, Robert Treat Paine and Thomas Lynch signed the Declaration of Independence, and that no man did more to inspire and encourage the revolution than Patrick Henry, who immortalized his name with "Give me liberty or give me death;" and that Major Generals Wayne, Stark, Conway, and Generals Thomson, Pickens, Sullivan, Hand, Poor, Maxwell, Stewart, Rutherford and Moylan were prominent commanders of the American army in the Revolutionary War; and when the British were driven out of Boston on March 17, 1776, the Commander in Chief, George Washington, gratified the national feeling of his Irish soldiers by giving "St. Patrick" as the countersign and naming General Sullivan as brigadier of the day. And while the Irish were fighting on land for the freedom of this country, one of Ireland's sons, Commodore Barry, the father of the American navy, was fighting on the water for freedom's cause, and when hailed by a British commander with the question, "What ship is that?" he replied:

"This is the ship Alliance,  
From Philadelphia town,  
And proudly bids defiance  
To England's king and crown.  
As captain on the deck I stand,  
To guard her banner true—  
Half Yankee and half Irishman—  
What tyrant's slave are you?" and,

WHEREAS, Presidents Jackson, Polk, Buchanan, Arthur and McKinley claimed the proud distinction of being of Irish descent; and no history of Illinois can be written without paying tribute to the long list of Irishmen that have made her name famous and covered her past with glory, among whom must be recorded in that roll of honor Major General James Shields, whose record in war and in civic life is one to which Irishmen everywhere point with pride; and the names of Logan and Mulligan never fail to cheer and inspire the hearts of all people to patriotism; and Sheridan's ride at Winchester will always stand as a monument to the heroism and patriotism of the Irish race, and an everlasting glory to the State of Illinois, that claimed him as her loyal son; and, therefore, be it

*Resolved, by the Senate, the House of Representatives concurring therein,* That, as a mark of respect and appreciation of the Irish race and their national holiday, when the two houses adjourn on Thursday, March 16, 1911, they shall stand adjourned until Tuesday, March 21, 1911.

Adopted by the Senate March 16, 1911.

Concurred in by the House March 16, 1911.

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#### ADJOURNMENT—MARCH 23 TO MARCH 28.

(House Joint Resolution No. 20.)

*Resolved, by the House of Representatives, the Senate concurring herein,* That when the two houses adjourn on Thursday, March 23, 1911, they stand adjourned until Tuesday, March 28, 1911.

Adopted by the House March 23, 1911.

Concurred in by the Senate March 23, 1911

## ADJOURNMENT—APRIL 7 TO APRIL 11.

(House Joint Resolution No. 22.)

*Resolved, by the House of Representatives, the Senate concurring herein,* That when the two houses adjourn on Friday, April 7, 1911, they stand adjourned until Tuesday, April 11, 1911.

Adopted by the House April 6, 1911.

Concurred in by the Senate April 6, 1911.

## ADJOURNMENT—APRIL 13 TO APRIL 19.

(Senate Joint Resolution No. 26.)

*Resolved, by the Senate, the House of Representatives concurring herein,* That when the two houses adjourn on Thursday, April 13, 1911, they stand adjourned until Wednesday, April 19, 1911.

Adopted by the Senate April 13, 1911.

Concurred in by the House April 13, 1911.

## ADJOURNMENT—RECESS AND SINE DIE.

(Senate Joint Resolution No. 27.)

*Resolved, by the Senate, the House of Representatives concurring herein,* That when the two houses adjourn on Friday, May 19, 1911, that a recess be taken until twelve o'clock, noon, on Wednesday, May 31, 1911, for the purpose of considering only messages from the Governor on bills passed by the General Assembly, and that when the General Assembly adjourns upon May 31, 1911, it stands adjourned *sine die*; be it further

*Resolved,* That on May 19, 1911, all bills on the order of first or second reading on the calendars of either house, lie on the table.

Adopted by the Senate May 4, 1911.

Concurred in by the House May 4, 1911.

## ADJOURNMENT—SINE DIE EXTENDED.

(Senate Joint Resolution No. 34.)

WHEREAS, The Forty-seventh General Assembly adopted Senate Joint Resolution No. 27 which, among other things, provided for a *sine die* adjournment of the Forty-seventh General Assembly on Wednesday, May 31, 1911, and

WHEREAS, It has been discovered that the levy bill failed of consideration in the Senate and that in order to consider said matter it is necessary that the *sine die* adjournment be extended; therefore, be it

*Resolved, by the Senate, the House of Representatives concurring herein,* That so much of Senate Joint Resolution No. 27 as provided for a *sine die* adjournment on Wednesday, May 31, 1911, is hereby rescinded; and,

*Resolved, further,* That the General Assembly continue in session until Thursday, June 1, 1911, for the purpose only of considering House Bill 673, known as "The Levy Bill," Senate Bill 481, appropriation bill, and House Joint Resolution No. 29, providing for a corporation commission, and that when the two Houses adjourn on June 1, 1911, they stand adjourned *sine die*.

Adopted by the Senate May 31, 1911.

Concurred in by the House May 31, 1911.

## FURNITURE FOR HOUSE AND SENATE CHAMBERS—REMOVAL PROHIBITED.

(House Joint Resolution No. 32.)

WHEREAS, The commission appointed under and in pursuance of House Joint Resolution No. 10, adopted by the Forty-sixth General Assembly, has just installed new desks and chairs in the Hall of the House of Representatives and the Senate, and,

WHEREAS, It has been the practice of the officials in charge of the two chambers to remove the furniture thereof from time to time to permit their use by the public for various purposes, and,

WHEREAS, The moving about of such furniture will be greatly injurious to it and should not be further permitted; now, therefore, be it

*Resolved, by the House of Representatives of the Forty-seventh General Assembly of the State of Illinois, the Senate concurring herein, That the Secretary of State be directed not to permit the removal of the furniture from the Senate Chamber and the Hall of the House, and that the Secretary of State be instructed to take the name of Ford & Johnson from each desk.*

Adopted by the House May 31, 1911.

Concurred in by the Senate May 31, 1911.

## INVESTIGATIONS—COUNTY AND TOWNSHIP ORGANIZATION, ROADS, HIGHWAYS AND BRIDGES LAWS.

(Senate Joint Resolution No. 17.)

WHEREAS, The laws relating to county and township organization and those relating to roads, highways and bridges have not been revised for a great many years, and in a great many respects are defective and do not meet the requirements of modern conditions; and,

WHEREAS, Said laws are so intimately connected and interwoven that it is almost impossible to make a complete revision of one without revising all of them; and,

WHEREAS, Said laws cannot be revised by piece meal as judiciously as by a general revision of all of them at the same time by a competent committee; therefore, be it

*Resolved, by the Senate, the House of Representatives concurring herein.* That a joint committee of ten be appointed, five to be named by the Senate and five to be named by the Speaker of the House of Representatives, to take up the matter of making a general revision of the laws pertaining to county and township organization, and those relating to roads, highways and bridges; that said committee be given full power to amend, revise and recodify said laws and make a full report to the present Legislature, or if that be impractical, then to the Forty-eighth General Assembly, in the form of a bill or bills to be introduced either at the present session or at the Forty-eighth General Assembly, for the purpose of enacting said revision into laws; and for such purpose, the said committee is authorized to employ such assistance (other than legal service) as may be necessary to carry out the provisions hereof.

The said committee and the members thereof shall be entitled to their actual expenses incurred in carrying out the provisions hereof; the expenses of the members of said committee and the pay of stenographers, clerks and other employés of said committee shall be paid out of the contingent funds of the Senate and House of Representatives, or out of any appropriation made therefor, on vouchers properly signed and approved by the President of the Senate and the Speaker of the House of Representatives and filed with the Auditor of Public Accounts; the Attorney General of Illinois is respectfully requested to furnish said committee with such legal assistance as may be



required; and all other departments of the State are requested to furnish any assistance to said committee as may be required; and that said committee make its report to the present session of the Legislature, or if be impracticable, then to the Forty-eighth General Assembly.

Adopted by the Senate February 24, 1911.

Amended by the House March 9, 1911.

Concurred in by the Senate March 15, 1911.

#### INVESTIGATIONS—DRAINAGE LAWS.

(House Joint Resolution No. 30.)

WHEREAS, The Farm Drainage Act became a law in 1879 and the Land Drainage Act became a law in 1885; and,

WHEREAS, Many amendments have been made to each of these Acts, the reason of which the drainage laws of this State are in a confused and contradictory condition, and the administration of these laws is uncertain and unreliable; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herewith,* That a commission of six members be appointed, three by the Speaker of the House of Representatives, and three by the Senate, for the purpose of considering the drainage laws of this and other states, with the object of modifying said laws or drafting new laws, to be presented with their report at the next General Assembly, the commission to serve without pay.

Adopted by the House May 18, 1911.

Concurred in by the Senate May 19, 1911.

#### INVESTIGATIONS—INSURANCE LAWS.

(House Joint Resolution No. 26.)

WHEREAS, The Committee on Insurance of the House of Representatives has devoted considerable time in the consideration of House Bill 284, known as the "Quincy Rating Bill" and the amendments thereto, known as the Illinois Manufacturers' Association amendments, in the consideration of suggestions thereon made by various commercial associations, associations of commerce and business interests throughout the State of Illinois; and

WHEREAS, The fire insurance laws of the State of Illinois make no provision whatever for classification of the physical conditions of property as the basis for fire insurance rates in the State of Illinois; and,

WHEREAS, There is a great demand for practical information regarding the possibility of equitably classifying the various properties subject to insurance, and also regarding the wisdom of providing for a general supervision by public authority of rates for fire insurance; and,

WHEREAS, The said Committee on Insurance also has had under consideration House Bill 386, providing for a commission to investigate and report on old age insurance; and,

WHEREAS, The insurance laws of the State of Illinois, as they appear at the present time on the statute books, are in an incoherent and unsatisfactory condition, in so far as classification of the same is concerned, and a demand throughout the State has existed for several years for codification thereof; and,

WHEREAS, By unanimous vote of said committee this resolution is presented for the purpose of creating a joint committee to consist of five members of the House of Representatives and three members of the Senate to consider the questions hereinbefore referred to and set forth; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein,* That a joint committee of ten be appointed, five to be named by the Speaker of the House of Representatives and five to be named by the President of the Senate, to make a careful and exhaustive investigation of the questions of classification of physical conditions of property as a basis of fire insurance rates in the State of Illinois, of providing for a general supervision by public authority of insurance rates, of old age insurance and of the advisability of laws regulating fire insurance rates in the State of Illinois and laws in reference to old age insurance and to consider and arrange a codification of insurance laws of the State of Illinois.

To carry out the provisions of this resolution said committee is authorized to employ such assistance as is necessary. The said committee and members thereof shall be entitled to actual expenses incurred in the carrying out of the provisions of this resolution.

Said committee shall prepare its findings and present the same with its recommendations to the Governor of the State of Illinois and the next General Assembly of this State, or may present same to any special session of the Forty-seventh General Assembly, if such should be called and this subject matter be included in the call for the special session; and, be it further

*Resolved,* That the General Assembly proceed to make an appropriation for the necessary expenses for the purpose of carrying out the provisions of this resolution.

Adopted by the House May 10, 1911.

Amended by the Senate May 18, 1911.

Concurred in by the House May 19, 1911.

#### INVESTIGATIONS—"LINCOLN WAY."

(House Joint Resolution No. 25.)

WHEREAS, The people of the State of Illinois, ever mindful of their deep and lasting obligation to Abraham Lincoln, and with abiding love and reverence do strive continually to honor his name and memory; and,

WHEREAS, It is the sense of the people of Illinois that a fitting and permanent memorial to the memory of the great emancipator would be the consecration and dedication of the route that he traveled from the place of his birth in Kentucky, through Indiana, and thence to his tomb at Springfield, to be known forever as the "Lincoln Way;" and,

WHEREAS, At its last session the legislature of the state of Kentucky enacted a law naming the route over which Abraham Lincoln traveled from his home at Hodgeville to Indiana, "The Lincoln Way," and, in the hope that the state of Indiana will join the states of Kentucky and Illinois in establishing and completing this fitting memorial; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring therein,* That the Board of Trustees of the Illinois State Historical Library be and they are hereby requested to make the necessary investigations to determine the exact route traveled by Abraham Lincoln in his removal from Kentucky to Illinois, and to report to the General Assembly at as early a date as possible, and make such recommendations as they deem advisable to carry out the purposes of this resolution.

Adopted by the House May 2, 1911.

Concurred in by the Senate May 9, 1911.

#### INVESTIGATIONS—PUBLIC UTILITIES.

(House Joint Resolution No. 24.)

WHEREAS, There has been and is now a State wide agitation for the passage of an Act to create in this State a commission or commissions, that shall

be empowered to regulate the public utilities doing business within this State; or to grant authority to municipalities to regulate such public utilities; and,

WHEREAS, There has [have] been numerous measures presented to this General Assembly, the object of which have [has] been to comply with the general demand for the aforementioned legislation; and,

WHEREAS, These numerous measures contain many, various and conflicting provisions; and,

WHEREAS, These measures have not received favorable consideration, due to decided difference of opinion as to their efficiency; and,

WHEREAS, The necessity for such legislation is considered imperative and the subject one of wide import, the proper solution of which will require a deliberate and exhaustive research; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein,* That a joint committee of ten be appointed, five to be named by the Speaker of the House of Representatives and five to be named by the President of the Senate, to make a careful and exhaustive investigation of the relations of the public utilities of this State to the people thereof (the words "public utilities" as used herein shall be defined as including all corporations, companies, associations, individuals, persons, or their lessees, trustees or receivers appointed by any court whatsoever, and all villages, towns and cities that own, operate, control, manage, manufacture, convey, lease, sell or store gas, electricity, water, heat, power, telephone or telegraph service, subways, conduits, tunnels, docks and wharves, and, in fact, all corporations, companies, associations, individuals, persons or their lessees, trustees or receivers appointed by any court whatsoever, and all villages, towns or cities that conduct such business as herein mentioned, under or by any grant, franchise or ordinance of any municipal corporation in this State, and operating wholly, or in part, within the corporate limits of any such municipal corporation, for pecuniary profit.) For the purpose of conducting such investigation said committee is hereby empowered to subpoena under the signature of its chairman, place under oath and examine such witnesses and to subpoena such books, documents and papers as they shall deem necessary for their information. To carry out the provisions of this resolution said committee is authorized to employ such assistance as shall be necessary. The said committee and members thereof shall be entitled to their actual expenses incurred in the carrying out of the provisions of this resolution.

The Attorney General's office of this State and the University of Illinois are requested to furnish to said committee legal and expert assistance as may be required. Said committee shall prepare their findings and present the same with their recommendations to the Governor of Illinois and the next General Assembly of this State or may present the same to any special session of the Forty-seventh General Assembly, if such should be called and this subject matter included in the call for the special session; and, be it further

*Resolved,* That the General Assembly proceed to make an appropriation for the ordinary and necessary expenses, for the purpose of carrying out the provisions of this resolution.

Adopted by the House April 28, 1911.

Amended by the Senate May 18, 1911.

Concurred in by the House May 18, 1911.

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#### INVESTIGATIONS—SUBMERGED AND SHORE LAND COMMITTEE RECORDS, ETC.

(House Joint Resolution No. 16.)

WHEREAS, The submerged and shore lands Legislative Investigating Committee on February 9, 1911, made its report and stated its conclusions to both Houses of this General Assembly, and in connection with said report



transmitted to the General Assembly all the records, maps, data, evidence, proceedings, briefs, arguments, surveys and every other means and sources of information by it obtained; and,

WHEREAS, It appears by the report of said committee that the interests of the State of Illinois in various bodies of land in connection with the public waters of Illinois are such as to require the most vigorous action by the State of Illinois for the purpose of protecting the same; now, therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein.* That the report of said committee and all of the accompanying documents and data, above referred to, be transmitted to the Department of Justice of the State of Illinois and there filed for the use of the Attorney General of this State, and that the Attorney General be requested to examine said report and to investigate the same and that wherever in his judgment and the judgment of his department the interests of the State of Illinois require protection or action either to regain lands wrongfully occupied or to compel restitution of the same or to inquire into or call in question the charter powers and rights of companies occupying such lands and assuming to exercise exclusive privileges and franchises in connection therewith, that the same shall be instituted by him in any court or courts of competent jurisdiction upon behalf of the State of Illinois.

And the Legislature of the State of Illinois pledges itself to support such official action of the Attorney General of this State in prosecution of all claims and actions which in his judgment should be advanced, and for that purpose we commit ourselves to making sufficient appropriation for his use to enable the Attorney General of this State to institute a department of his office for the purpose of protecting and asserting all the rights of the State of Illinois with reference to this subject matter.

Adopted by the House February 10, 1911.

Concurred in by the Senate March 23, 1911.

#### JOINT RULES.

(Senate Joint Resolution No. 1.)

*Resolved, by the Senate, the House of Representatives concurring herein,* That the following be the joint rules of the Senate and House of Representatives of the Forty-seventh General Assembly:

#### JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FORTY-SEVENTH GENERAL ASSEMBLY.

1. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the door-keeper, and shall be respectfully communicated to the Chair by the person by whom it is sent.

2. The same ceremony shall be observed when messages shall be sent from the House of Representatives to the Senate.

3. Messages shall be sent by such persons as a sense of propriety in each house may determine to be proper.

4. In every case of disagreement between the two houses, if either house request a conference, and appoint a committee for that purpose, the other house shall appoint a committee to confer therewith upon the subject of their disagreement. Said committee shall meet at a convenient time to be agreed upon by their chairman, and, having conferred freely, each shall report to its respective house the result of their conference. In case of an agreement the report shall first be made, with the papers referred, accompanying it, to the disagreeing house, and there acted upon; and such action shall be immediately reported by the clerk to the other house, the papers referred



accompanying the message. In case of disagreement, the papers shall remain with the house which referred them. The agreeing report of a conference committee shall be made, read and signed in duplicate by all members of the committee or by a majority of those of each house, one of the duplicates being retained by the committee of each house. Should either house disagree to the report of the committee, such house shall appoint a second committee and request a second conference, which shall be acceded to by the other house before adhering. The motion for a committee of conference, and the report of such committee, shall be in order at any time. When both houses shall have adhered to their disagreement, a bill or resolution is lost.

5. While bills are on their passage between the two houses they shall be accompanied by a message signed by the secretary or clerk (as the case may be) respectively.

6. After a bill has passed both houses, it shall be enrolled before it is presented to the Governor.

7. When bills are enrolled, they shall be examined by a joint committee, which shall consist of five members, two from the Senate and three from the House, to be appointed by the Senate and Speaker of the House respectively. The clerk of the Committee on Engrossed and Enrolled Bills of the respective houses shall act as clerk of the committee whenever their services are required. Said committee shall carefully compare the enrolled bills with the engrossed bills, so passed by both houses, correct any errors which may be discovered in the enrolled bills, and make their report forthwith to their respective houses; the secretary or clerk having previously certified on the margin of the roll in which house it originated.

8. After examination and report, each bill shall be signed in the respective houses, first by the Speaker of the House of Representatives, and then by the President of the Senate.

9. After a bill shall have been signed by the President of the Senate and Speaker of the House of Representatives, it shall be presented by said joint committee to the Governor for his approval. The said committee shall report the day of presentation to the Governor to each house, which time shall be carefully entered on the journals of each house.

10. All resolutions and memorials which are to be presented to the Governor shall be previously enrolled, examined, signed and presented to the joint committee, reported, and entry made thereof, as provided in case of bills.

11. When a bill or resolution which shall have passed one house is rejected in the other, information thereof shall be given to the house in which the same shall have passed.

12. When the consideration of any bill, memorial, or resolution, which has originated in one house shall be postponed in the other to a day so distant that it shall not be taken up again by the present session, the house in which such bill, memorial or resolution shall have originated shall be forthwith informed of such postponement.

13. When a bill, memorial or resolution which has passed one house is rejected in the other, it shall not again be introduced during the same session, except in the house so rejecting, and after three days' notice and leave of that house.

14. Each house shall transmit to the other all papers on which any bill or resolution shall be founded.

15. While the two houses are acting together upon elections, or on any other matter, the Speaker shall preside, and all questions of order shall be decided by him, subject to an appeal to both houses, as though but one body was in session. A call of members of either house may be had in joint meeting by order of the house in which the call is desired, and to constitute a quorum of the joint assembly, a majority of all the members elected to both houses shall be present and voting.

16. Motions to postpone or adjourn shall be decided by a joint vote of both houses, and yeas and nays upon such motions, if required, shall be entered upon the journals of both houses.

17. Upon questions arising requiring the separate decision of either house, the Senate shall withdraw until the decision is made: *Provided*, that questions upon motions for a call of either house shall not come within the provisions of this rule.

18. Each house shall have the liberty of ordering the printing of bills, messages and reports without the consent of the other.

19. Whenever any message, bill, report or document shall be ordered to be printed by the Senate or House, for the use of both houses, it shall be the duty of the secretary of the Senate or clerk of the House (as the case may be) immediately to report the fact of the passage of such order to the other branch of the General Assembly, together with the number so ordered to be printed, in case the same shall exceed 300.

Adopted by the Senate January 10, 1911.

Concurred in by the House [March] 16, 1911.

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#### JOINT SESSION—CANVASS OF ELECTION RETURNS.

(House Joint Resolution No. 1.)

*Resolved, by the House of Representatives, the Senate concurring herein.* That the two houses meet in joint session in the Hall of the House of Representatives on Tuesday, the 10th day of January, A. D. 1911, at the hour of 11:00 o'clock A. M., for the purpose of canvassing the returns of the election for State officers, held on the 8th day of November, A. D. 1910, as required by the Constitution of this State.

Adopted by the House January 10, 1911.

Concurred in by the Senate January 10, 1911.

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#### JOINT SESSION IN HONOR OF THE PRESIDENT—INVITATION AND COMMITTEE.

(House Joint Resolution No. 8.)

WHEREAS, Honorable William H. Taft, President of the United States, is soon to be present in the city of Springfield for the purpose of delivering an address at the Lincoln Centennial Association; and,

WHEREAS, It is the desire of the General Assembly of the State of Illinois to pay its respects to the President of the United States; now, therefore, be it

*Resolved, by the House of Representatives, the Senate concurring therein,* That an invitation be extended to the Honorable William H. Taft, President of the United States, to appear before a joint session of the General Assembly of the State of Illinois on February 11 at the hour of 3:00 o'clock p. m., or at such other hour during said day as may be agreeable to the President of the United States, and to deliver to the joint session of the General Assembly there assembled such remarks as he may desire at that time; and, be it further

*Resolved,* That the secretary of the Senate and the clerk of the House jointly execute an invitation upon behalf of the House and Senate and forward the same to the Honorable William H. Taft, President of the United States, in accordance with the foregoing resolution; and, be it further

*Resolved,* That a committee of ten—five from the House, to be appointed by the Speaker, and five from the Senate, to be appointed by the President of the Senate—be appointed as a committee to make the arrangements for his reception and entertainment while a guest of the General Assembly of Illinois, and to arrange for such exercises and ceremonies as may be fit and

appropriate at that time; and that the expenses in connection therewith be allowed upon the voucher of the chairman of said committee from any funds for the use of the committees of either house.

Adopted by the House January 24, 1911.

Concurred in by the Senate January 25, 1911.

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JOINT SESSION IN HONOR OF THE PRESIDENT—INVITATION EXTENDED TO JUSTICES OF THE SUPREME COURT.

(Senate Joint Resolution No. 10.)

*Be it Resolved by the Senate, the House of Representatives concurring herein*, That an invitation be and is hereby extended to the Chief Justice and the Associate Justices of the Supreme Court to attend in a body the joint session of the General Assembly, to be held in the Hall of Representatives on Saturday afternoon, February 11, in honor of the President of the United States; and, be it further

*Resolved*, That the secretary of the Senate is directed to forward a copy of this invitation, suitably engrossed, to the Chief Justice and the associate justices of the Supreme Court.

Adopted by the Senate February 10, 1911.

Concurred in by the House February 10, 1911.

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JOINT SESSION IN HONOR OF THE PRESIDENT—INVITATION EXTENDED TO STATE OFFICERS.

(Senate Joint Resolution No. 11.)

*Be it Resolved by the Senate, the House of Representatives concurring herein*, That an invitation be and is hereby extended to the Governor and the State officers to attend in a body the joint session of the General Assembly, to be held in the Hall of Representatives on Saturday afternoon, February 11, 1911, in honor of the President of the United States; and, be it further

*Resolved*, That the secretary of the Senate is directed to forward a copy of this invitation, suitably engrossed, to the Governor and the State officers.

Adopted by the Senate February 10, 1911.

Concurred in by the House, February 10, 1911.

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MEMORIAL SERVICES—JUSTICE MELVILLE W. FULLER.

(House Joint Resolution No. 3.)

*Resolved, by the House of Representatives, the Senate concurring herein*, That appropriate memorial exercises in honor of the late Chief Justice of the United States Supreme Court, Melville W. Fuller, a former member of the House of Representatives of this State, be held at a time to be hereafter arranged, in this House, and that the Speaker of the House appoint three members and the President of the Senate two members of a committee to make arrangements for such exercises.

Adopted by the House January 17, 1911.

Concurred in by the Senate January 18, 1911.

## MEMORIAL SERVICES—REPRESENTATIVE FRANK C. BURKE.

(House Joint Resolution No. 14.)

WHEREAS, It has pleased Almighty God, in His infinite wisdom, to remove from our midst our colleague and friend, the Honorable Frank C. Burke of Chicago, Illinois, one of the most valued members of the Forty-seventh General Assembly; and,

WHEREAS, By his integrity, his genial disposition and his consistent application to his duties, as well as by his upright and honorable conduct as a man and citizen, he has endeared himself to all; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein,* That we hereby express our profound sorrow at the untimely end of our friend and brother, and that we hereby extend to the bereaved family our heartfelt sympathy in the loss of their loved one; and, be it further

*Resolved,* That as a mark of esteem for the deceased and our sympathy for the bereaved family, a joint committee of the House and Senate be appointed, consisting of twelve members, nine from the House and three from the Senate, to make all necessary arrangements for the funeral; and the said committee is hereby authorized to draw on the committee expense fund for any necessary expense incurred in relation thereto; and, be it further

*Resolved,* That the members of the House and Senate are hereby invited to attend the funeral services in a body; and, be it further

*Resolved,* That said committee is hereby authorized to arrange for suitable memorial services to be held in the Hall of the House of Representatives; and as a further mark of respect, that the House and Senate do now adjourn.

Adopted by the House, February 9, 1911.

Concurred in by the Senate February 9, 1911.

## MEMORIAL TO CONGRESS—MONOPOLIES.

(House Joint Resolution No. 9.)

*Resolved, by the House of Representatives of the State of Illinois, the Senate concurring therein,* That application is hereby made to the Congress of the United States under the provision of article 5 of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States granting the Congress of the United States the following power:

The Congress of the United States shall have the power to prevent and suppress monopolies throughout the United States by appropriate legislation.

*Resolved, further,* That the Secretary of State is hereby directed to transmit copies of the application to the Senate and House of Representatives of Congress, and to transmit copies thereof to the presiding officers of each of the legislatures now in session in the several states, requesting the coöperation of the said several legislatures.

Adopted by the House February 24, 1911.

Concurred in by the Senate May 11, 1911.

## MEMORIAL TO CONGRESS—PENSION BILL.

(House Joint Resolution No. 7.)

WHEREAS, There is pending in the Senate of the United States a bill, having passed the lower House of Congress, known as the Fuller-Solloway Pension Bill, which provides fixed and certain amounts of pensions to be paid to the survivors of the Mexican and Civil wars, with slight increases above the amounts that are now allowed to be paid upon age limit; now, therefore, be it



*Resolved, by the House of Representatives of the State of Illinois, the Senate concurring.* That it is the sense of these bodies that said pension bill should pass the Senate of the United States without amendment, and that the people of the State of Illinois heartily indorse the action of Congress in providing for more liberal pensions for the veteran survivors of the Mexican and Civil wars, and to provide for their payment based upon the age of the veteran.

Adopted by the House January 24, 1911.

Concurred in by the Senate January 31, 1911.

#### MEMORIAL TO CONGRESS—TREATY WITH RUSSIA.

(Senate Joint Resolution No. 29.)

WHEREAS, In the treaties and conventions now existing between the United States of America and the government of Russia, it is provided that the inhabitants of each country shall mutually have the liberty to enter, sojourn and reside in the respective territories of each other, and to that effect shall enjoy the same security and protection as natives of the country wherein they reside; and,

WHEREAS, The government of Russia has singled out a certain class of citizens and inhabitants of the United States, and forbidden them from sojourning or residing in, or entering into the territory or dominion of Russia, on account of their religious faith; and,

WHEREAS, The severest penalties are visited upon those who in any manner violate this edict of the Russian government, so that an American citizen of the prescribed faith, with an American passport, who should cross the borders of Russian territory would, under the penal code of Russia, be subjected to the most cruel punishment, without the privilege of trial by jury; and,

WHEREAS, It is the fundamental principle of this government that the rights of its citizens shall not be impaired at home or abroad because of religious belief; that this government concludes its treaties for the equal protection of all classes of its citizens, without regard to religious belief; that the government of Russia has violated the treaty between the United States of America and Russia, concluded at St. Petersburg December 18, 1832, by construing that part of article 1 thereof which says that the inhabitants of the respective states "shall be at liberty to sojourn and reside in all parts whatsoever of said territories in order to attend to their affairs and they shall enjoy to that effect the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce;" to mean that American citizens of Jewish faith are subject in Russia to the same restrictions that Russia imposes upon Russian inhabitants of Jewish faith, by declining to permit American citizens of Jewish faith to sojourn and reside in Russia in order to attend to their affairs and to enjoy to that effect the same security and protection as non-Jewish native Russians, and by refusing to honor American passports issued to American citizens of Jewish faith; and,

WHEREAS, Such distinction would be abhorrent to all people who believe in the right of men to worship according to the dictates of conscience; therefore,

*Resolved, by the Senate of the State of Illinois, the House of Representatives concurring.* That we hereby request our two United States Senators representing the great State of Illinois to request the President of the United States to abrogate the treaty between the government of Russia and the United States of America, and that a copy of these resolutions be forwarded to our Senators at Washington, urging them to support the resolution now pending in the national House of Representatives for the abrogation of said treaty.

Adopted by the Senate April 27, 1911.

Concurred in by the House April 28, 1911.

UNITED STATES OF AMERICA, }

ss.

STATE OF ILLINOIS,

OFFICE OF THE SECRETARY OF STATE.

I, JAMES A. ROSE, Secretary of State of the State of Illinois, do hereby certify that the foregoing Acts and Joint Resolutions of the Forty-seventh General Assembly of the State of Illinois, passed and adopted at the regular biennial session thereof, are true and correct copies of the original Acts and Joint Resolutions now on file in the office of the Secretary of State, save and except such words, letters and figures as are printed in brackets, thus: [ ].

[SEAL.]

IN WITNESS WHEREOF, I hereto set my hand and affix the Great Seal of State, at the city of Springfield, this 15th day of July, A. D. 1911.

JAMES A. ROSE,  
*Secretary of State.*



## INDEX.

	PAGE.
ACCIDENTS—compensation act.....	315
ADJUTANT GENERAL—appropriation, armory at Chicago, repairs.....	73
appropriation, armory buildings and sites.....	73
ordinary and contingent.....	75, 97
torpedo boats, voyage expenses.....	76
uniforms and equipment.....	76
qualification of, and assistants.....	536
ADMINISTRATION OF ESTATES—devise, etc., to wife or husband of witness..	538
mortgage and sale of real estate by guardian, etc.....	241
presumption of death and bond of distributee.....	1
trustees in certain cases, release of sureties.....	431
trust estates, bills relating to titles, etc.....	253
unclaimed money, disposition.....	254
AGRICULTURE AND HORTICULTURE—apiaries, state inspector.....	4, 110, 111
county experimental real estate, buildings, etc.....	245
county funds, for county fair exhibits.....	243
for county farmers' institutes.....	244
state appropriations for county fairs, etc., basis (7).....	3
state horticultural society, appropriation.....	57
(see, also, "Appropriations.")	
ANIMALS—appropriation, biological laboratory.....	68, 103
appropriation live stock breeders' association.....	67
live stock commission .....	68, 102, 103
stallion registration board, general expenses.....	111
dairy, tuberculin test prohibited.....	6
feeding stuffs, act 1905 amended.....	527
live stock specimen breeds at experiment station.....	36, 40
meeting animals with automobiles (16).....	496
sanitary inspection of food establishments.....	528
stallions, registration in certain stud books.....	7
ANNA STATE HOSPITAL—appropriation, ordinary and special.....	21, 25
appropriation, water supply .....	18
APIARIES—State inspector, appropriation.....	110, 111
state inspector, office created.....	4
APPOINTMENTS—assistant appellate judges by supreme court.....	247
board of pharmacy by governor (9).....	383
building laws commission by governor.....	61
cemetery trustees by county judge.....	123
county civil service commission (2).....	199
curator of natural history museum by trustees.....	533
fish commissioners and wardens by governor.....	354, 355
food commissioner by governor.....	519
food standard commission by governor.....	520
game commissioner by governor (16).....	361



<b>APPOINTMENTS—Concluded.</b>	<b>PAGE.</b>
game wardens and deputies.....	362
general assembly officers and employés.....	365
general superintendent new insane hospital (8).....	131
general superintendent surgical institute for children (8).....	131
in cities under commission form, (27).....	140
Kenesaw mountain commission by governor.....	72
Lawler monument commission by governor.....	71
librarian of historical library by trustees.....	532
mine inspectors' assistants by county board (5).....	393
mine inspectors by governor (5).....	393
mine rescue commission by governor.....	424
mining board by governor (1).....	388
mining investigation commission by governor.....	65
park civil service board by park commissioners.....	211
park commission for state by governor (1).....	57
park commissioners for towns by county judge.....	454
park trustees by county and circuit judges.....	441
police pension fund trustees by park commissioners (2).....	445
probation officers, city and county (9).....	280
railroad and warehouse commissioners by governor (2).....	472
rivers and lakes commission by governor.....	115
sanitary district trustees by certain judges.....	301
state inspector of apiaries by governor (1).....	5
state penitentiary officers by commissioners (5).....	468
supervising engineer by board of administration.....	124
(see, also, "Joint Resolutions.")	
<b>APPORTIONMENT—fish warden districts (19).....</b>	<b>354</b>
<b>APPROPRIATIONS—agriculture, county fairs and societies.....</b>	<b>9</b>
agriculture, experiment station.....	40, 41, 42
farm crops, state entomologist.....	11
farmers' institutes, state and county.....	10
state board, general expenses.....	12
state fair buildings.....	13
auditor public accounts, filing cases (15).....	93
ordinary and contingent (18-27).....	94, 95
provisional for clerical services.....	12
awards by court of claims.....	14
balances in certain funds transferred to general revenue fund.....	15
bee-keepers' association.....	15
bills for traveling expenses itemized.....	112
boards, state—see "Boards and Commissions."	
charitable, adult blind, visitation and instruction.....	17
Anna state hospital, water supply.....	18
Elgin state hospital, paving.....	19
new insane hospital, erection.....	20
state institutions, ordinary and contingent.....	20, 24
surgical institute for children, erection.....	28
dairyman's association, state.....	28
educational, deaf and dumb and blind, instruction (6).....	503
delinquent children, instruction (6).....	505
state institutions, ordinary and special.....	29-44
fire marshal, general expenses (79).....	110
provisional for office, etc.....	45
firemen's association, state.....	46
fish commission, ordinary and contingent.....	47, 102
fish license fees refunded.....	47
food commissioner, inspectors and chemists.....	48
ordinary and contingent, (61).....	106
game department, ordinary and contingent.....	107
provisional.....	49, 50

## APPROPRIATIONS—Continued.

## PAGE.

general assembly, committee expenses of 47th.....	50
committee expenses of 48th (48).....	102
employés of 46th (87).....	111
employés of 47th .....	52
entertainment of the President .....	53
funeral of Representative Burke .....	53
incidentals of 47th .....	54, 55
members of 48th and state officers.....	55
grand army hall and memorial association, (72).....	108
grand army of republic .....	56
historical documents .....	56
horticultural society, state .....	57
investigations, building laws commission.....	61
county and township and roads and bridges laws committee.....	62
educational building commission .....	63
employers' liability commission .....	64
good roads commission .....	62, 111
Illinois Central railroad company .....	91, 96
insurance laws committee (85).....	111
mining commission .....	65
submerged and made lands .....	96
live stock breeders' association, state.....	67
milk producers' institute .....	68
mine inspectors .....	69, 101
monuments, Edwardsville historical .....	69
Kenesaw mountain .....	72
Lawler, General Michael Kelly, at Equality.....	71
Lincoln, general expenses, (52).....	103
national guard, armory at Chicago, repairs.....	73
armory buildings and sites .....	73
ordinary and contingent .....	75
uniforms and equipment .....	76
naval militia, torpedo boats .....	76
naval reserve, ordinary and contingent .....	75
normal schools, eastern, ordinary and contingent.....	29
northern, ordinary and contingent .....	30, 31
southern, ordinary and contingent .....	32, 33
state, ordinary and contingent .....	34, 35
western, ordinary and contingent .....	44
Panama-Pacific exposition .....	77
paper and stationery, deficiency .....	37
general fund .....	93
penitentiaries, new buildings .....	78
southern, ordinary and contingent.....	78
state, ordinary and contingent .....	78
portrait of L. Y. Sherman .....	31
poultry association, state .....	82
printing and binding, deficiency.....	86, 87
general funds .....	93
relief, Donoghue, Thomas H., salary.....	86
Jorgensen, Berthrol C. B. ....	83
McQuern, Frank, concrete work.....	84
Scott, Guy C., salary .....	84
Wright, Robert W., salary.....	85
state contracts, deficiency.....	86, 87
general funds .....	93
state entomologist .....	11, 105
state officers and members of general assembly.....	55
state government, ordinary and contingent .....	87
state park at Starved Rock .....	57

APPROPRIATIONS— <i>Concluded.</i>	PAGE.
state reformatory, ordinary and contingent.....	80
university of Illinois, buildings and equipment.....	36
coal mining industry, coöperative work, (65).....	107
endowment fund, interest .....	38, 107
maintenance and extension .....	39
school of ceramics (65).....	107
water survey .....	39, 43
ARCHITECTS—act 1897 amended.....	113
state board of examiners, appropriation, (73).....	109
ATTORNEY GENERAL—appropriation, ordinary and contingent, (28).....	96
appropriation, state suits, (69).....	107
AUDITOR—appropriation, filing cases, (15).....	93
appropriation, ordinary and contingent, (18-27).....	94, 95
provisional for clerical service .....	12
AUTOMOBILES—act relating to registration, etc.....	487
appropriation for tags, supplies, examiners, etc, (14, 15).....	93
BAKERIES—sanitary inspection .....	528
BALLOTS—see "Forms Prescribed."	
BATHING BEACHES—powers of cities and villages, (82, 97).....	179, 180
BECKER, OSCAR—appropriation, (87) .....	111
BEE-KEEPERS' ASSOCIATION—appropriation .....	15
BEES—see "Apiaries."	
BICYCLES—license and regulation of motor.....	487
BILLS-OF-LADING—act relative to uniformity.....	227
BINDING, PUBLIC—appropriation, deficiency.....	86
appropriation, general fund, (17).....	93
BIRDS—game law revised .....	360
BIRTHS AND DEATHS—fees for making reports.....	518
BOARDS AND COMMISSIONS, STATE—administration, see "Charities."	
agriculture, basis of appropriations to county fairs, (7).....	3
appropriation, administration, see "Charities."	
agriculture .....	9, 12, 13
arbitration, (56) .....	104
architects' examiners, (73) .....	109
balances in certain funds, transfer.....	15
barbers' examiners, (76) .....	109
bills for traveling expenses itemized.....	112
canal .....	16, 17
charities, (33) .....	98
civil service, (63) .....	106
court of claims, awards .....	14
dental examiners', (74) .....	109
educational, (31) .....	97
equalization, (24) .....	95
farmers' institutes .....	10
fish .....	47, 102
food .....	48, 106
free employment offices, (46).....	102
Ft. Massac, (59).....	103
game .....	49, 50, 107
geological, (65) .....	107
health, (50) .....	105
highway, (62) .....	106
historical library .....	56, 104
labor .....	101, 109
Lincoln homestead, (51) .....	103
Lincoln monument, (51) .....	104
live stock .....	68, 102
mine rescue, (81) .....	110

<b>BOARDS AND COMMISSIONS, STATE—appropriation—<i>Concluded.</i></b>	<b>PAGE.</b>
mining, (44) .....	101
natural history museum, (42) .....	101
nurses, (80) .....	110
pardons, (57) .....	104
park, Starved Rock .....	57
pharmacy, (78) .....	110
prison industries, (64) .....	106
railroad and warehouse, (41) .....	99
rivers and lakes, (67) .....	107
Shabbona park, (68) .....	107
stallion registration, (82) .....	111
state contracts .....	86, 87, 93
state library, (11) .....	93
veterinary examiners, (49) .....	103
architects' examiners, act 1897 amended .....	113
civil service, act 1905 amended .....	222
fish, general revision .....	354
food standard, act 1907 revised .....	519
health, licenses and reports, (11) .....	381
reports of births and deaths .....	518
payment of public money into State treasury .....	429
pharmacy, act 1901 amended .....	381
railroad and warehouse, revision .....	471
rivers and lakes, creation .....	115
(see, also, "Appointments," "Investigations," and "Resolutions.")	
<b>BLIND—appropriation, state institutions .....</b>	<b>22, 26</b>
appropriations, visitation and instruction .....	17
<b>BLUE BOOK—appropriation for printing, (14) .....</b>	<b>93</b>
<b>BONDS—see "Official Bonds."</b>	
<b>BRIDGES—see "Roads and Bridges."</b>	
<b>BUILDINGS—gas safety appliances act .....</b>	<b>146</b>
investigation of laws concerning .....	61
<b>BURKE, FRANK C.—funeral expenses .....</b>	<b>53, 551</b>
<b>CALL, S. LEE—appropriation, (87) .....</b>	<b>111</b>
<b>CANALS, LAKES AND RIVERS—bathing beaches, etc., (97) .....</b>	<b>180</b>
bridges over I. and M. canal, repairs .....	16
fishways, obstructions, etc., (23) .....	357
harbors, structures and facilities, powers of cities .....	181
Illinois river, repairs to locks, dams, etc. ....	17
rivers and lakes commission, appropriation, (66) .....	107
creation, data, records, etc. ....	115
state suit against Economy Light and Power Co., appropriation .....	107
submerged and shore land committee records, etc. ....	548
(see, also, "State Lands.")	
<b>CEMETERIES—automobiles, local regulations, (12) .....</b>	<b>494</b>
burial insurance societies, act concerning .....	370
burial lots, rights of citizens .....	288
trust funds for care, improvement, etc. ....	122
trustees, appointment by county judge .....	123
<b>CHARITABLE EYE AND EAR INFIRMARY—appropriation, ordinary and special .....</b>	<b>22, 26</b>
<b>CHARITIES—appropriation, adult blind .....</b>	<b>17</b>
appropriation, Anna State hospital, water supply .....	18
charities commission, (33) .....	98
Elgin State hospital, paving .....	19
new insane hospital, erection .....	20
psychopathic institute, Kankakee .....	21
state institutions, ordinary and special .....	20, 24



CHARITIES—appropriation— <i>Concluded.</i>	PAGE.
surgical institute for children .....	28
transfer of insane, (26) .....	95
board of administration, appropriation .....	17-28, 83, 108
funds in state treasury, transfer.....	15
power of eminent domain .....	124
supervising engineer, office created.....	124
children, deaf and dumb and blind, instruction.....	502
delinquent, instruction .....	504
funds to parents by juvenile court .....	126
surgical institute, appropriation and creation.....	28, 129
general hospital for insane, Bartonville, right-of-way.....	483
girls' industrial school, payment by county.....	509
hospitals, fraternal societies .....	374
location in municipalities, (77) .....	179
new insane, appropriation and creation.....	20, 128
powers of county .....	246
state institutions, appropriations .....	18-28
tax in cities, act 1891 amended .....	147
probation system and officers .....	277
soldiers' and sailors' home, admission and transfer of wife.....	127
state agent, salary .....	125
CHAUFFEURS—license and regulation, (13).....	494
CHESTER STATE HOSPITAL—appropriation, ordinary and special.....	21, 25
CHICAGO STATE HOSPITAL—appropriation, ordinary and special.....	23, 26
CHILDREN—employment in mines, (28).....	417
surgical institute, appropriation and creation.....	28, 129
(see, also, "Charities" and "Schools.")	
CITIES AND VILLAGES—aldermen and wards.....	189
annexation, submission of proposition.....	133
automobiles, local regulation, (12) .....	493
borrowing money, etc., under special charters.....	151
commission form, amendments .....	137
salaries of mayor and commissioners .....	144
Evanston, conveyance of state land .....	534
express, territory for delivery, (9).....	468
fish markets, license and bond, (17).....	353
gas safety appliances in certain .....	146
hospitals, location regulated, (77).....	179
tax levy, act 1891 amended .....	147
hunter's license issued by clerks .....	362
itinerant vendors, license and regulation.....	291
minority representation, discontinuance .....	148
municipal funds, deposit and disposition .....	149
use regulated .....	150
oil inspectors, compensation .....	432
parks, see "Parks."	
pension fund, house of correction employés .....	153
municipal employés in cities over 100,000.....	158
police in cities over 50,000, act 1887 amended.....	163, 169
police matron in cities over 50,000.....	170
teachers in public schools .....	511, 512, 513
police magistrates in certain, act 1901 repealed.....	173
powers, bathing beaches, fireworks, garages, hospitals, etc.....	173
harbors, docks, wharves, utilities, etc.....	181
municipalities under special charters .....	151
probation officers, appointment, (9).....	280
public utilities, investigation committee .....	547
public work, employment of manual labor .....	185
sewage disposal districts in one county.....	299

CITIES AND VILLAGES— <i>Concluded.</i>	PAGE
street and bridge tax in certain.....	186
streets, vacation for park districts, (5).....	443
tuberculin test for dairy animals prohibited.....	6
villages, organization proceedings legalized.....	152
territory co-extensive, organization as town.....	538
voluntary dissolution.....	187
water districts, organization.....	190
water survey, sanitary analysis, etc.....	43
Wilmette park district, conveyance of state land.....	535
CITIZENS—rights concerning burial lots, etc.....	288
CIVIL SERVICE—cities under commission form.....	139, 140
city laborers and artisans.....	185
counties of 150,000 or more.....	199
municipal court of Chicago.....	255
park systems of 150,000 or more.....	211
state commission, appropriation, (63).....	106
state employes, act 1905 amended.....	222
CLERKS OF COURTS—see "Courts."	
COMMISSIONS—see "Boards," "Investigations" and "Resolutions."	
COMMON CARRIERS—bills of lading act.....	227
express companies declared.....	464
jurisdiction of railroad commissioners, (20).....	477
CONVEYANCES—see "State Lands."	
CORN GROWERS' ASSOCIATION—coöperation with experiment station, (5)...	41
CORONERS—inquests at coal mines, (b).....	416
CORPORATIONS—burial insurance societies.....	370
express business regulated.....	464
extension of corporate existence.....	239
foreign, attorney for service in state.....	240
franchise in cities under commission form, (34).....	140
fraternal, holding property and borrowing money.....	241
public utilities, investigation committee.....	547
(see, also, "Employment.")	
COUNTIES—birth and death reports, payment of fees.....	518
civil service in, of 150,000 or more.....	199
county auditor in certain.....	242
county board, employment of stenographers.....	243
funds for county fair exhibits.....	243
funds for county farmers' institutes.....	244
funds for parents of delinquent children.....	126
county commissioners, compensation.....	337
court house space, lease authorized.....	244
financial statements of officers.....	428
fish warden districts, (19).....	354
funds to parents of delinquent children.....	126
girls industrial schools, payment by.....	509
investigation of laws, committee.....	62, 545
Kankakee, terms of county court.....	251
Madison, terms of county court.....	252
mining inspectors and inspection districts, (4, 5).....	393
powers, experimental real estate, buildings, etc.....	245
hospitals.....	246
probation officers, appointment, (9).....	280
Rock Island, terms of county court.....	252
state's attorneys and assistants, salaries.....	347
Vermillion, terms of county court.....	253
COURT HOUSES—county, lease of space.....	244
COURT OF CLAIMS—appropriation for awards.....	14

	PAGE.
COURTS—appeals, exceptions, writs of error, etc.....	459
appellate, appropriation, (36-40) .....	98, 99
assistant judges, appointment .....	247
branch courts, creation .....	248
terms fixed .....	249
causes for continuance .....	461
chancery, bills relating to wills, trustees, titles, etc.....	253
circuit, clerk's fees in 1st and 2d class counties.....	339
judges, assignments to branch appellate courts.....	247
clerks, vacancies .....	250
city, clerk's compensation .....	250
municipal of Chicago, amendments.....	255, 260
county, clerk's fees in 1st and 2d class counties.....	341
drainage benefits determined by.....	297
Kankakee, terms fixed .....	251
Madison, terms fixed .....	252
Rock Island, terms fixed .....	252
Vermilion, terms fixed .....	253
jurors, fees fixed .....	346
juvenile, funds to parents .....	126
municipal of Chicago, amendments .....	260
civil service provisions .....	255
non-residents, service of process .....	462
probation system, act concerning.....	277
superior, number and nomination of judges.....	285
judges, time of election and terms.....	284
supreme, appointment of assistant appellate judges.....	247
appropriation, ordinary and contingent, (34).....	98
assignments to branch appellate courts.....	243
clerk, appropriation, (35) .....	98
reporter, appropriation, (54) .....	104
reports, appropriation and printing.....	93, 286
trustees under wills, etc., release of sureties.....	431
unclaimed money, disposition .....	254
CRIMINAL CODE—appeals in criminal cases.....	459
civil and legal rights of citizens concerning burial lots, etc.....	288
drinking cups for public use prohibited.....	289
drinking intoxicating liquor on railroad trains, etc.....	462
fraud in sales of merchandise .....	291
infamous crimes defined .....	290
injury to railroads .....	290
itinerant vendors of merchandise.....	291
junk dealers, pawnbrokers, etc., purchase from minors.....	294
kidnapping, reward by governor .....	364
parole agents, number, salary, etc.....	295
petit larceny not infamous crime.....	290
CURTICE, GRACE M.—appropriation, (87).....	111
DAIRYING—appropriation to experiment station, (8).....	42
dairy products, act 1907 amended.....	519
license to operate milk and cream tester, (20b).....	526
sanitary inspection of food establishments.....	528
tuberculin test for dairy animals prohibited.....	6
(see, also, "State Food Commissioner.")	
DAIRYMEN'S ASSOCIATION, STATE—appropriation .....	28
coöperation with experiment station, (8).....	42
DONOGHUE, THOMAS H.—appropriation for salary.....	86
DRAINAGE—districts emptying into lower districts, benefits, summons, etc	296
investigation of laws, committee .....	546
pumping plants, amount of benefits .....	297
destruction or injury .....	298

	PAGE.
<b>DRAINAGE—Concluded.</b>	
rivers and lakes commission .....	17, 107, 119
sanitary districts, act 1889, salaries and private secretaries.....	307
organization of territory in one county.....	299
<b>DRAM SHOPS</b> —drinking intoxicating liquor on trains, etc.....	462
liquor near soldiers' and sailors' home.....	309
<b>DRINKING CUP</b> —use in public places prohibited.....	289
<b>DRUGS</b> —see "Medicine and Surgery."	
<b>DUNNING STATE HOSPITAL, CHICAGO</b> —appropriation, ordinary and special	23, 26
<b>EASTERN NORMAL SCHOOL, CHARLESTON</b> —appropriation, ordinary and special .....	29
<b>ECONOMY LIGHT AND POWER Co.</b> —state suit against, (69).....	107
<b>EDUCATION</b> —see "Appropriations" and "Schools."	
<b>ELECTIONS</b> —ballots, order of names, etc.....	310
city, boards of education in certain districts.....	500
expenses, apportionment and payment .....	313
park boards under act of 1893.....	436
clerks of courts, vacancies.....	250
county auditor in certain counties.....	242
high school in townships .....	506, 508
Lincoln park bond issue.....	433
minority representation in cities and villages, discontinuance.....	148
officers in cities under commission form.....	137
primary, officers in cities under commission form.....	138
recall of officers in cities under commission form.....	141
sanitary district officers within one county.....	299
state officers, canvass of returns .....	551
superior court judges, date and term.....	284
number and nomination .....	285
villages, organization proceedings legalized.....	152
(see, also, "Forms Prescribed.")	
<b>ELECTRICITY</b> —wires guarded in coal mines.....	408
<b>ELGIN STATE HOSPITAL</b> —appropriation, ordinary and special.....	20, 24
appropriation, paving .....	19
<b>EMINENT DOMAIN</b> —board of administration .....	124
harbor structures and facilities for cities and villages, (7).....	184
museums in public parks .....	435
park commissioners in towns, (7).....	456
park districts in cities over 100,000, (3).....	443
sanitary districts within one county, (15).....	305
water districts, (13) .....	197
<b>EMPLOYMENT</b> —basements as work rooms .....	314
belts or wheels in basements .....	314
boys and women in coal mines, (28).....	417
building laws commission .....	61
civil service, see "Civil Service."	
compensation for accidental injury or death.....	314
employers' liability commission, appropriation.....	64
factory inspectors, act 1907 amended.....	326
appropriation, (55) .....	104
females, hours of work .....	328
free employment offices, appropriation, (46).....	102
general assembly employes, appointment .....	365
miners' and mechanics' institutes, creation.....	329
occupational diseases, act concerning.....	330
pensions—see "Pension Funds."	
private agencies, act 1909 amended .....	335
chief inspector, appropriation, (75).....	109
public work, manual labor in cities and villages.....	185
sanitary inspection of food establishments.....	528



	PAGE.
ENTOMOLOGIST, STATE—appropriation .....	11, 105
EXECUTIVE MANSION—appropriation, ordinary and contingent, (5).....	91
EXPLOSIVES—black blasting powder in coal mines.....	385
storage, handling, etc., in coal mines.....	404, 408, 409
EXPRESS—business under jurisdiction of railroad commission.....	464
FACTORIES—see "Employment."	
FARMERS' GRAIN DEALERS' ASSOCIATION—coöperation with experiment station, (5) .....	41
FARMERS' INSTITUTES—advisory committee for experiment station, (6) ..	41
appropriation for state and county.....	10
county funds for county institutes.....	244
FEEs AND SALARIES—architects, state board, compensation.....	113
assistant appellate judges, compensation, (3).....	247
automobiles, chauffeurs and motor bicycles, license fees.....	487
birth and death reports, fees.....	518
board of pharmacy, license fees and salaries.....	331
burial insurance societies, filing fee, (2).....	370
circuit judges assigned to branch appellate courts, compensation, (5)	249
clerks of courts, circuit, fees in 1st and 2d class.....	339
city, compensation .....	250
county, fees in 1st and 2d class.....	341
county auditor in certain counties, compensation.....	242
county civil service commissioners, compensation, (18).....	207
county commissioners, compensation .....	337
curator natural history museum, salary.....	533
extending charters of corporations, fees.....	239
factory inspectors, salaries .....	326
fish commissioners and wardens, salaries.....	354, 355
fishing license, fees, (15) .....	352
fish market license, fees, (17).....	353
food commissioner, salaries .....	520
food standard commission, compensation .....	520
general assembly officers and employes, compensation.....	365
hunter's license, fees, (25).....	362
inspector of private employment agencies, salary, (10).....	336
itinerant vendors of merchandise, fees, (3).....	292
jurors in courts of record, fees.....	346
librarian of historical library, salary .....	532
mayor and commissioners under commission form, salaries.....	144
milk and cream tester, license fee, (20b).....	526
mine inspectors, compensation, (6) .....	396
mine rescue commission, compensation .....	424
mining board, compensation, (g).....	389
mining investigation commission, compensation, (5).....	67
municipal court Chicago, amendatory acts.....	255, 260
officers state penitentiary, salaries, (34).....	453
oil inspectors, compensation .....	432
park civil service board, compensation, (18).....	218
parole agents, salary .....	295
pharmacists and apprentices, registration fees, etc.....	331
probation officers, city and county, compensation.....	282
railroad and warehouse commission, salaries, (4).....	472
rivers and lakes commission, compensation, (4).....	116
sanitary district, of Chicago, compensation of officers.....	308
sanitary trustees in one county, compensation.....	299
state agent, salary .....	125
state inspector of apiaries, salary, (1).....	5
state's attorneys and assistants, salaries.....	347
supervising engineer, salary .....	124

<b>FEEs AND SALARIES—<i>Concluded.</i></b>	<b>PAGE.</b>
supreme court reports and reporter .....	286
town officers, compensation .....	337
underwriting associations, fee .....	373
water district trustees, salaries, (4) .....	193
<b>FIRE MARSHAL—appropriation, general fund, (79) .....</b>	<b>110</b>
appropriation, provisional .....	45
<b>FIREMEN'S ASSOCIATION, STATE—appropriation .....</b>	<b>46</b>
<b>FIRE WORKS—power of cities and villages, (65) .....</b>	<b>173</b>
<b>FISH AND GAME—appropriation, fish commission .....</b>	<b>47, 102</b>
appropriation, fish license fees refunded .....	47
game department, general and provisional .....	49, 50, 107
fish and frogs, general revision .....	348
fish protection fund, transfer of balance .....	15
game protection fund, transfer of balance .....	15
game, wild fowl and birds, revision .....	360
rivers and lakes commission, duties, etc., (22) .....	120, 548
<b>FLORISTS—appropriation to experiment station, (9) .....</b>	<b>42</b>
<b>FOOD—dairy products, tuberculin test prohibited .....</b>	<b>6</b>
fish market license .....	353
household science, appropriation to experiment station, (10) .....	42
meals, etc., in certain factories prohibited, (7) .....	332
(see, also, "State Food Commissioner.")	
<b>FORMS PRESCRIBED—appointment of special deputy bailiff .....</b>	<b>259, 266</b>
ballots, annexation of cities and villages .....	134, 136
annexation of territory to park district, (7) .....	453
appointment of park trustees under act of 1893 .....	441
election act of 1891 .....	312
Lincoln park bond issue .....	434
minority representation in cities and villages .....	148
municipal court acts, submission .....	259, 276
park bonds of towns .....	456
township high school, organization .....	506, 508
village organization dissolved .....	187
certificate of stallion registration .....	7, 8
election notice for organization of township high school .....	506, 508
letters of administration upon presumption of death .....	2
maps and surveys of coal mines .....	397
oath of oil inspector .....	432
petition for recall of officer under commission form, (42) .....	141
<b>FROGS—provisions concerning .....</b>	<b>348</b>
<b>FUGITIVES FROM JUSTICE—appropriation, general fund, (22) .....</b>	<b>95</b>
kidnapping, reward by governor authorized .....	364
<b>FULLER, JUSTICE MELVILLE W.—memorial services .....</b>	<b>552</b>
<b>GAME—see "Fish and Game."</b>	
<b>GARAGES—powers of cities and villages, (82) .....</b>	<b>173</b>
<b>GAS—oil and gas wells, act 1905 amended .....</b>	<b>426</b>
safety appliances in municipalities .....	146
<b>GENERAL ASSEMBLY—appropriation, committee expenses of 48th, (48) .....</b>	<b>102</b>
appropriation, committee expenses of 47th .....	50
employés of 47th .....	52
employés of 46th .....	111
entertainment of President Taft .....	53
funeral of Representative Burke .....	53, 551
incidentals of 47th .....	54, 55
members of 48th .....	55
furniture, removal prohibited .....	545
joint rules .....	549
members, continuance of court proceedings .....	461
officers and employés, election and appointment .....	365
supervising engineer, office created .....	124

	PAGE.
GEOLOGICAL SURVEY, STATE—appropriation, state commission, (65).....	107
appropriation, university of Illinois, (13a).....	43
expenditures may equal U. S. department.....	517
GORMAN, THERESA—appropriation. (87) .....	111
GOVERNOR—appointment, board of pharmacy, (9).....	383
appointment, building laws commission .....	61
fish commissioners and wardens .....	354, 355
food commissioner .....	519
food standard commission .....	520
game commissioner, (16) .....	361
inspector of apiaries, (1) .....	5
Kenesaw mountain commission .....	72
Lawler monument commission .....	71
mine inspectors, (5) .....	393
mine rescue commission .....	424
mining board, (1) .....	388
mining investigation commission .....	65
park commission, (1) .....	57
railroad and warehouse commission, (2) .....	472
rivers and lakes commission .....	115
appropriations, ordinary and contingent.....	90, 91
state suit against Economy Light and Power Co.....	91, 107
Panama-Pacific exposition commissioner .....	77
GRAIN DEALERS' ASSOCIATION—coöperation with experiment station, (5) ..	41
GRAIN INSPECTION DEPARTMENT, STATE—appropriation, (19).....	100
GRAND ARMY HALL AND MEMORIAL ASSOCIATION—appropriation, (72).....	108
GRAND ARMY OF REPUBLIC—appropriation .....	56
GRAVEYARDS—see "Cemeteries."	
GUARDIANS AND WARDS—mortgage and sale of real estate.....	368
HARBORS—powers of cities .....	181
HATFIELD, E. H.—appropriation, (87).....	111
HIGHWAYS—see "Roads and Bridges."	
HISTORICAL LIBRARY—appropriation, documents .....	56
appropriation, general expenses, (53).....	104
librarian, appointment and salary .....	532
HORTICULTURE—appropriation, experiment station, (7) .....	41
appropriation, state entomologist .....	11, 105
state society, appropriation .....	57
HOSPITALS—see "Charities," "Cities and Villages" and "Insurance."	
HOTELS—sanitary inspection of food, etc.....	528
state inspector, appropriation, (86).....	111
HOUSEHOLD SCIENCE—appropriation to experiment station.....	42
HUSBAND AND WIFE—see "Wills."	
INDUSTRIAL HOME FOR BLIND—appropriation, ordinary and special ..	22, 26
INJURIES—see "Employment."	
INSANE—see "Charities."	
INSURANCE—burial societies, act concerning .....	370
compensation for accidental injury or death.....	314
fire, lightning, hail, windstorm and sprinkler leakage, regulation....	371
fraternal, hospitals and sanatoriums, etc., general and expense fund..	374
gas safety appliance act .....	146
investigation committee, appropriation and creation.....	111, 546
life, accident and health by stock companies.....	375
amendments to charter .....	377
superintendent, appropriation, general expenses, (50).....	103
underwriting associations, regulation and control.....	371
INTOXICATING LIQUOR—see "Dram Shops" and "Railroads."	

	PAGE.
INVESTIGATIONS—building laws commission .....	61
county and township organization and road and bridge laws.....	62, 545
drainage laws committee .....	546
educational building commission .....	63
employers' liability commission, expenses .....	64
good roads commission .....	111, 548
Illinois Central railroad .....	91, 96
insurance laws committee .....	111, 546
"Lincoln Way" .....	547
mining commission .....	65
public utilities committee .....	547
rivers and lakes commission .....	107, 115, 548
submerged and made lands .....	96, 548
JACKSONVILLE STATE HOSPITAL—appropriation, ordinary and special	21, 25
JOINT RESOLUTIONS—list of .....	576
JORGENSEN, BERTHROL C. B.—appropriation .....	83
JURORS—fees in courts of record .....	346
KANKAKEE STATE HOSPITAL—appropriation, ordinary and special..	21, 24
appropriation, psychopathic institute .....	21
KENESAW MOUNTAIN—appropriation for soldiers' monument.....	72
KIDNAPPING—reward by governor authorized .....	364
LABOR—see "Employment."	
LANDS—see "State Lands."	
LARCENY—petit larceny not infamous crime .....	290
LAUNDRIES—powers of cities and villages, (82).....	179
LAWLER, GENERAL MICHAEL KELLY—monument at Equality, appropriation..	71
LAWS—appropriation for copying and distributing, (12).....	93
<i>Validating Acts:</i>	
aldermen and wards in cities .....	189
employment of stenographers by county boards .....	243
village organization proceedings .....	152
<i>With Emergency Clause:</i>	
appropriation, incidentals of general assembly.....	54, 55
Anna state hospital, water supply .....	18
auditor of public accounts, clerical services.....	12
binding, provisional .....	86
biological laboratory .....	68
committee expenses of general assembly .....	50
employés of general assembly, (3) .....	52
entertaining the President .....	53
fire marshal, provisional .....	45
fish commission, provisional .....	47
food commissioner, provisional .....	48
funeral of Representative Burke .....	53
game department, provisional .....	49, 50
mine inspectors, expenses .....	69
naval militia, torpedo boats.....	76
paper and stationery, provisional .....	87
relief of Berthrol C. B. Jorgensen .....	83
salary of Thomas H. Donoghue .....	86
state entomologist, protection of farm crops.....	11
boards of education in certain districts.....	500
cities and villages, aldermen and wards.....	189
commission form, amendments .....	137
commission form, salaries .....	144
municipal funds, deposits .....	149
under special charters .....	151
village organization legalized .....	152



LAWS—With Emergency Clause—Concluded.	PAGE.
county courts, Kankakee, terms .....	251
Madison, terms .....	252
Rock Island, terms .....	252
Vermilion, terms .....	253
court house, leasing space .....	244
criminal code, kidnapping .....	364
petit larceny .....	290
drainage, benefits, summons, etc. ....	296
pumping plants .....	298
elections in cities, payment of expenses .....	313
fire apparatus in coal mines .....	419
general assembly, officers and employés .....	365
oil and gas wells .....	426
parks, additions in cities over 100,000 .....	443
in contiguous territory .....	451
Lincoln park bond issue .....	434
stallions, registration .....	9
Without Governor's Signature:	
tuberculin test for dairy animals .....	6
LEVEES—see "Drainage."	
LIABILITY OF EMPLOYERS—see "Employment" .....	314
LIBRARIES—state, appropriation, (11) .....	93
state historical, appropriation .....	56, 104
salary of librarian .....	532
LIEUTENANT GOVERNOR—appropriation, (6) .....	91
LINCOLN HOMESTEAD—appropriation, (51) .....	103
LINCOLN MONUMENT—appropriation, (52) .....	103
"LINCOLN WAY"—investigation by state historical society .....	547
LINCOLN STATE SCHOOL AND COLONY—appropriation, ordinary and special .....	21, 26
LIQUORS—see "Dram Shops" and "Railroads."	
LIVE STOCK—see "Animals."	
LIVE STOCK BREEDERS' ASSOCIATION—appropriation .....	67
coöperation with experiment station, (5) .....	41
McQUERN, FRANK—appropriation for concrete work .....	84
MEDICINE AND SURGERY—birth and death reports .....	518
occupational diseases act .....	330
pharmacy, act of 1901 amended .....	381
appropriation to state board, (78) .....	110
physicians and surgeons, qualification and license .....	380
sanitary inspection of food establishments .....	528
surgical institute for children—appropriation and creation .....	28, 129
(see, also, "State Board of Health.")	
MEMORIALS TO CONGRESS—see "United States."	
MERCHANDISE—itinerant vendors, license and regulation .....	291
MILITIA—see "National Guard."	
MILK—see "Dairying."	
MILK PRODUCERS' INSTITUTE—appropriation .....	68
MILLS AND WORKSHOPS—see "Employment"	
MINES AND MINING—appropriation, mine inspectors .....	69, 93, 107
appropriation, mine rescue stations, (81) .....	110
mining board, (44) .....	101
mining engineering department at university of Illinois, (13) .....	43
coal mines, general revision .....	387
coöperation with U. S. bureau, (65) .....	107
fire and rescue stations, act 1910 amended .....	424
fire apparatus, act 1910 amended .....	419
Investigation commission, appropriation and creation .....	65
miners' and mechanics' institutes, creation .....	329
oil and gas wells, act 1905 amended .....	426
powder, specifications of blasting .....	385
storage, handling, etc. ....	404, 409

	PAGE.
MONUMENTS—Edwardsville historical, appropriation .....	69
Kenesaw mountain, appropriation .....	72
Lawler, General Michael Kelly, at Equality .....	71
Lincoln, appropriation, (52) .....	103
MORTGAGES—by guardians .....	368
MOTOR VEHICLES—registration and regulation .....	487
MUSEUMS—in public parks, erection, etc.....	435
natural history, appropriation, (42).....	101
salary of curator .....	533
NATIONAL GUARD—adjutant general and assistants, qualifications, (6)	537
appropriation, armory at Chicago, repairs.....	73
armory buildings and sites .....	73
ordinary and contingent .....	75
uniforms and equipment .....	76
armory at Chicago, sale and conveyance .....	533
NATURAL HISTORY—appropriation, laboratory, (58).....	105
appropriation, museum, (42) .....	101
curator of museum and salary .....	533
NAVAL RESERVE—appropriation, ordinary and contingent.....	75
appropriation, torpedo boats .....	76
uniforms and equipment .....	76
NEGOTIABLE INSTRUMENTS—bills of lading, act concerning.....	227
NORTHERN NORMAL SCHOOL, DEKALB—appropriation, ordinary and special.	30, 31
OFFICERS—county and township, financial statements .....	428
general assembly, election and appointment .....	365
state, payment of public money into treasury.....	429
OFFICIAL BONDS—trustees in certain cases, release of sureties.....	431
OIL INSPECTION—oil and gas wells, act 1905 amended.....	426
oil inspectors, appointment and compensation .....	432
oil, storage and standard in coal mines.....	404, 408
OSGOOD, E. W.—appropriation, (87) .....	111
PANAMA—PACIFIC INTERNATIONAL EXPOSITION—appropriation...	77
PAPER AND STATIONERY—appropriation, general fund, (16).....	93
appropriation, provisional .....	87
PARKS—automobiles, regulation and control, (12).....	494
civil service in systems of 150,000 or more.....	211
districts, act 1893 amended .....	436
in cities over 100,000, additions.....	443
Fort Massac, appropriation, (59) .....	105
Lincoln park bond issue .....	433
museums in public, erection, admission, etc.....	435
parks in contiguous territory, improvement and maintenance.....	451
police pension fund for one or more towns.....	445
Shabbona park, appropriation, (68).....	107
Starved Rock state park, appropriation .....	57
state lands, conveyance to city of Evanston.....	534
conveyance to Wilmette park district.....	535
town or townships, establishment .....	454
Wilmette park district, conveyance of state land.....	535
PAROLE SYSTEM—see "Courts" and "Penitentiaries."	
PAWNBROKERS—purchase from minors .....	294
PELLETIER, PAUL—appropriation, (83) .....	111
PENALTIES—violations, apiaries act .....	5, 6
violations, architects' examiners act .....	115
automobile act .....	487
ballot act concerning order of names.....	311
belts or wheels in basements .....	314

PENALTIES—violations— <i>Concluded.</i>	PAGE.
bills of lading act, (44-50) .....	236, 238
blasting powder act, (3) .....	386
coal mining act .....	388
commission form act .....	143, 144
compensation act, (23) .....	325
county civil service act, (31, 32) .....	210
express business act, (10) .....	469
dairy and food act, (39a) .....	526
drinking cup act .....	289
drinking intoxicating liquor on railroad trains, etc. ....	463
fire apparatus in coal mines, (7) .....	423
fish and frog act .....	357, 358
food inspection act, (13) .....	531
game law .....	363
gas safety appliances act .....	146
house of correction employés, (15) .....	157
injury to railroads .....	291
itinerant vendors of merchandise, (8) .....	294
junk dealers, purchase from minors .....	294
liquor near soldiers' and sailors' home .....	309
occupational diseases act, (14) .....	334
oil and gas wells, (6) .....	427
park civil service act, (30, 31) .....	221
payment of money into state treasury .....	429
pharmacy act, (12) .....	384
probation system act, (6) .....	279
railroad and warehouse commission act .....	471
state park act .....	80
underwriting associations act .....	373
water district act, (18) .....	198
width of tire act .....	499
women's ten hour act .....	328
PENITENTIARIES—appropriation, conveying convicts, (20) ..	95
appropriation, new buildings .....	78
ordinary and special .....	78
board of prison industries, (64) .....	106
parole agents, number, salary, etc. ....	295
state, officers and salaries .....	457
PENSION FUNDS—house of correction employés in cities over 150,000 ..	153
municipal employés in cities over 100,000 .....	153
park police for one or more towns .....	445
police in cities over 50,000, act 1887 amended .....	163
pensioner and service .....	169
police matron .....	170
teachers in cities over 100,000 .....	511, 512
in districts of 1,000 to 100,000 .....	513
PEORIA STATE HOSPITAL—appropriation, ordinary and special .....	21, 25
PETITIONS—see "Forms Prescribed."	
PHARMACY—see "Boards and Commissions," and "Medicine and Surgery."	
POLICE—see "Cities and Villages" and "Parks."	
POLICE MAGISTRATES—in certain municipalities, act 1901 repealed .....	173
POULTRY ASSOCIATION, STATE—appropriation .....	82
POWDER—see "Mines and Mining."	
PRACTICE—appeals, exceptions, writs of error, etc. ....	459
causes for continuance .....	461
municipal court, Chicago .....	255, 260
non-residents, service of process .....	462

	PAGE.
PRINTING, PUBLIC—appropriation, general fund, (17).....	93
PROBATION SYSTEM—see "Courts."	
PUBLIC UTILITIES—committee to investigate.....	547
RAILROADS—act 1871 amended .....	471
bills of lading, act concerning .....	227
commissioners, appropriation, (41) .....	99
drinking intoxicating liquors on passenger trains, etc.....	462
express business under railroad commission .....	464
Illinois Central, appropriation for state suits against.....	91, 96
incorporation, renewal and extension .....	470
injury to property, etc. ....	290
junk dealers, purchase from minors.....	294
public utilities, committee to investigate .....	547
St. Louis, Peoria & Northwestern, drawbridge over Illinois river.....	482
right-of-way at general hospital .....	483
street, franchise, etc. in cities under commission form, (34).....	140
(see, also, "Employment.")	
REAL ESTATE—bills to confirm titles, etc.....	253
fraternal societies under special act may hold.....	241
mortgage and sale by guardians, titles, etc.....	363
survey of lands re-established .....	537
(see also, "State Lands.")	
REPORTER—see "Courts."	
RESOLUTIONS, JOINT—list of .....	576
RESTAURANTS—sanitary inspection .....	528
REVENUE—balances transferred to general fund.....	15
hospital tax in cities and villages, act 1891 amended.....	147
refunding taxes paid in error, etc., appropriation, (30).....	97
street and bridge tax in certain municipalities.....	186
tax collector, notice to receive tax.....	485
tax deeds, conditions, notices, etc.....	486
tax levy, bond issues under special charters.....	151
Lincoln park bond issue, (6, 7).....	434
park additions in cities over 100,000, (8).....	444
park district under act 1893 .....	436
park for towns or townships, (5, 8).....	456, 457
parks in contiguous territory .....	451
road and bridge, additional .....	499
sanitary district within one county, (10, 12).....	304
state purposes .....	484
university of Illinois .....	484
water districts, (10) .....	195
RIVERS—see "Canals, Lakes and Rivers."	
ROADS AND BRIDGES—bridge tax in certain municipalities.....	186
good roads commission, appropriation, (84).....	111
highway commissioners, appropriation, (62).....	106
investigation of laws, committee .....	62, 545
motor vehicles and motor bicycles, registration, etc.....	487
"road fund" for state, creation, (19).....	498
tax levy, additional in certain counties.....	499
use by sanitary districts, (13) .....	304
width of tires regulated .....	499
SANITARY DISTRICTS—see "Drainage."	
SAN JOSE SCALE—appropriation to state entomologist.....	11, 105
SAVAGE, B. F.—appropriation, (87) .....	111
SAVAGE, W. E.—appropriation, (87) .....	111
SCHOOL FOR BLIND, JACKSONVILLE—appropriation, ordinary and special....	22, 26
SCHOOL FOR DEAF, JACKSONVILLE—appropriation, ordinary and special....	22, 26



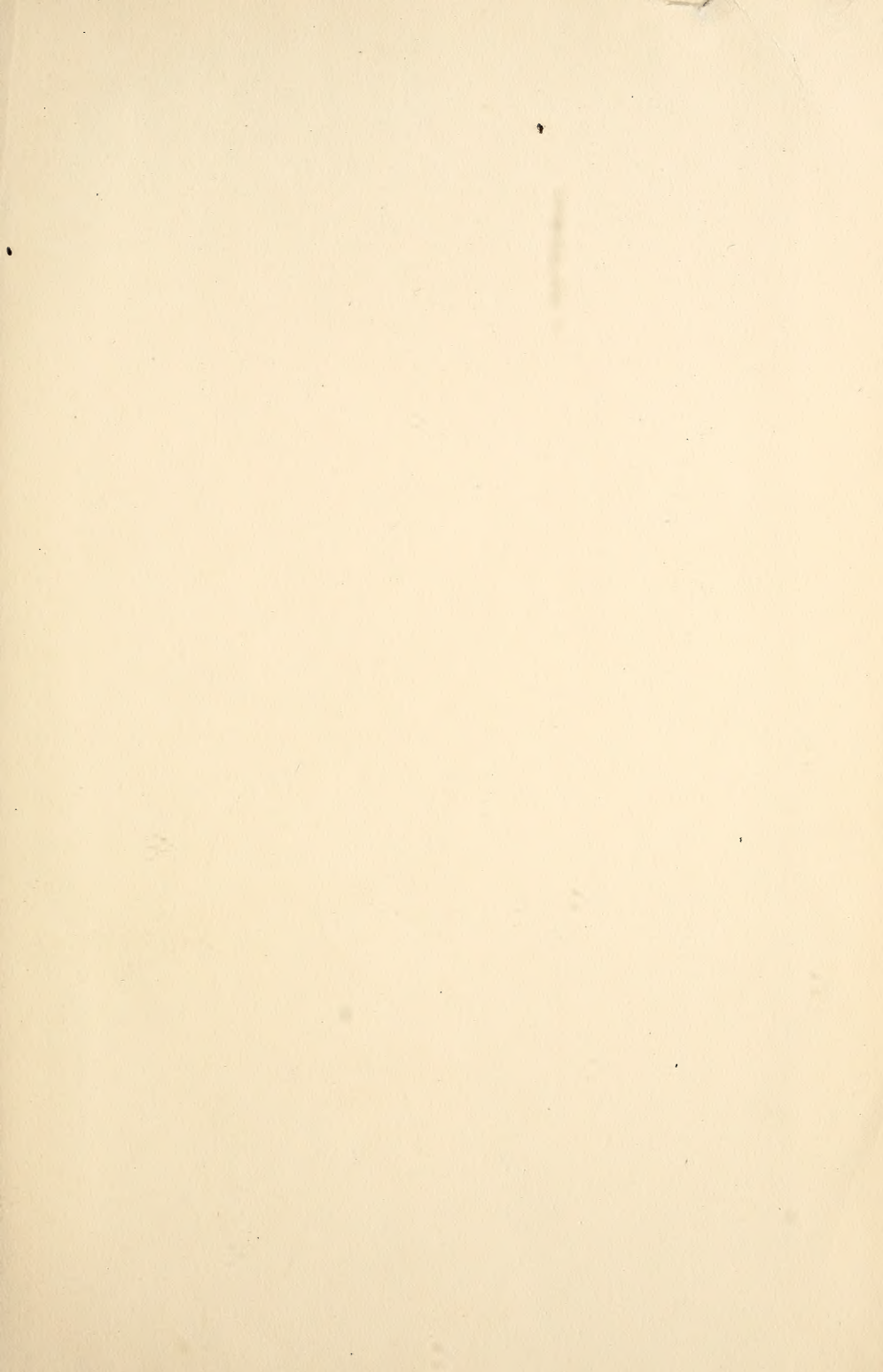
	PAGE.
SCHOOLS—appropriation, common school fund and interest, (26, 27).....	95
appropriation, state normals, ordinary and special.....	29-35, 44
state superintendent, ordinary and contingent, (31).....	97
boards of education, elections in certain districts.....	500
deaf and dumb, and blind, state aid.....	502
delinquent children, state aid .....	504
districts, formation and territory under special charter.....	511
educational building commission .....	63
high, districts composed of parts of adjoining townships.....	507
organization of township .....	505, 508
industrial for girls, payment by county.....	509
Kickapoo union school district, boundaries.....	510
pupils, transfer and transportation.....	516
teachers' pension fund, in cities over 100,000.....	511, 512
in districts of 1,000 to 100,000.....	513
university of Illinois—see "University of Illinois."	
SCOTT, GUY C.—appropriation for salary to widow.....	84
SCOUTEN, T. B.—appropriation, (87) .....	111
SECRETARY OF STATE—appropriation, ordinary and contingent, (7-15).....	91-93
instruments, supplies, etc., for mine inspectors, (d).....	394
SEED CORN BREEDERS' ASSOCIATION—coöperation with experiment station, (5)	41
SEWAGE—see "Drainage."	
SHERMAN, LAWRENCE Y.—appropriation for portrait.....	81
SOLDIERS' AND SAILORS'—appropriation to G. A. R.....	56, 108
monument at Keresaw mountain .....	72
SOLDIERS' AND SAILORS' HOME, QUINCY—admission and transfer of wife...	127
appropriation, ordinary and special .....	22, 26
intoxicating liquors near, sale, etc., prohibited.....	309
SOLDIERS' ORPHANS' HOME, NORMAL—appropriation, ordinary and special..	22, 26
SOLDIERS' WIDOWS' HOME, WILMINGTON—appropriation, ordinary and special	22, 26
transfer of soldier's wives to.....	127
SOUTHERN NORMAL UNIVERSITY, CARBONDALE—appropriation, ordinary and	
special .....	32, 33
STALLIONS—registration in certain stud books.....	7
state board, appropriation, (82).....	111
STATE BOARD OF HEALTH—appropriation, ordinary and contingent, (60)...	105
births and deaths, reports and fees .....	518
license of physicians and surgeons .....	350
receipts and expenditures .....	381
reports concerning occupational diseases, (4).....	331
STATE CONTRACTS—appropriation, binding .....	86, 93
appropriation, paper and stationery .....	87, 93
printing, (17) .....	93
STATE ENTOMOLOGIST—appropriation, general expenses, (59).....	105
appropriation, protection of farm crops.....	11
STATE FIRE MARSHAL—appropriation, general expenses.....	110
appropriation, provisional .....	45
STATE FOOD COMMISSIONER—appropriation, general expenses, (61).....	106
appropriation, inspectors and chemists .....	48
dairy and food products, act 1907 amended.....	519
feeding stuffs, act 1905 amended.....	527
fund in state treasury, transfer of balance.....	15
sanitary inspection of establishments .....	528
STATE LANDS—armory at Chicago, sale and conveyance.....	533
conveyance to city of Evanston .....	534
conveyance to Wilmette park district .....	535
Idaho lands, appropriation for taxes.....	96
made lands in certain cities state property, (4).....	183
rivers and lakes commission, appropriation and creation.....	107, 115
St. Louis, Peoria & Northwestern railway, drawbridge.....	482
right-of-way at general hospital .....	483

	PAGE
STATE MILITIA—adjutant general and assistants, qualifications, (6).....	537
(see, also, "National Guard.")	
STATE NORMAL SCHOOL, NORMAL—appropriation, ordinary and special....	34
appropriation, training school .....	35
STATE OFFICERS—appropriation, ordinary and contingent.....	87
appropriation, salaries .....	57
civil service, act 1905 amended .....	222
payment of public money into state treasury.....	429
STATE PENITENTIARY—see "Penitentiaries."	
STATE REFORMATORY, PONTIAC—appropriation, conveying offenders, (21) ..	95
appropriation, ordinary and special .....	80
STATE TREASURER—appropriation, ordinary and contingent, (29,30).....	97
STATES ATTORNEYS—salaries of, and assistants.....	347
ST. CHARLES SCHOOL FOR BOYS—appropriation, conveying offenders, (19) ..	94
appropriation, ordinary and special.....	23, 26
ST. LOUIS, PEORIA & NORTHWESTERN RAILWAY—drawbridge over Illinois	
river authorized .....	482
right-of-way at general hospital for insane.....	482
STENOGRAPHERS—employment by county board.....	243
SUPERINTENDENT OF PUBLIC INSTRUCTION—appropriation, (3) .....	97
SUPERVISING ENGINEER—office created .....	124
SURGERY—see "Medicine and Surgery."	
SURVEYORS AND SURVEYS—maps and surveys of coal mines, (7).....	397
oil and gas wells .....	426
rivers and lakes commission, (6).....	116
submerged and shore land committee, data, etc.....	548
survey of land re-established .....	537
TAXATION—see "Revenue."	
TEACHERS—see "Schools."	
TELEPHONES—equipment in coal mines, (5).....	422
TOWNSHIP ORGANIZATION—financial statement of officers.....	423
investigation of laws, committee.....	62, 545
organization of territory co-extensive with city or village.....	538
parks and parkways, establishment.....	454
town officers, compensation .....	337
TRAINING SCHOOL FOR GIRLS, GENEVA—appropriation, conveying offenders.	94
appropriation, ordinary and special .....	23, 26
TRANSPORTATION—see "Common Carriers" and "Railroads."	
TRUSTEES—release of sureties for certain.....	431
UNITED STATES—memorial to congress, monopolies .....	553
memorial to congress, pension bill .....	553
treaty with Russia, abrogation .....	554
President, invitation to joint session.....	551
UNIVERSITY OF ILLINOIS, URBANA—appropriation, buildings and equipment	36
appropriation, endowment fund, interest .....	38, 107
maintenance and extension .....	39
mining industry, coöperative work .....	43, 107
school of ceramics, (65) .....	107
water survey .....	39, 43
geological survey, state, expenditures .....	517
miners' and mechanics' institutes, creation.....	329
state tax levy for support and maintenance.....	484
VEHICLES—motor vehicle and motor bicycle act.....	487
VILLAGES—see "Cities and Villages."	
WAREHOUSES—powers and duties of state commission.....	475
sanitary inspection act .....	528

	PAGE.
WATER—organization of water districts authorized.....	190
state survey, appropriation and duties .....	39, 43
(see, also, "Canals, Lakes and Rivers.")	
WATERTOWN STATE HOSPITAL—appropriation, ordinary and special.....	21, 25
WEIGHTS AND MEASURES—mine inspector <i>ex officio</i> sealer, (j).....	395
WILLS—bills relating to construction, trustees, titles, etc.....	253
devise, etc. to wife or husband of witness.....	538
trustees, release of sureties on bonds.....	431
WOMEN—employment in mines prohibited, (28).....	417
hours of work .....	328
wife of soldier or sailor in state home.....	127
WORKINGMEN—see "Employment."	
WRIGHT, ROBERT W.—appropriation for salary to widow.....	86

### JOINT RESOLUTIONS.

Adjournment—January 11 to January 17 .....	541
January 18 to January 24 .....	541
January 25 to January 31 .....	541
February 2 to February 9 .....	541
February 15 to February 21 .....	542
February 15 to February 23 .....	542
February 24 to March 1 .....	542
March 16 to March 21 .....	542
March 23 to March 28 .....	543
April 7 to April 11 .....	544
April 13 to April 19 .....	544
Recess and <i>sine die</i> .....	544
<i>Sine die</i> extended .....	544
Furniture for House and Senate Chambers—Removal prohibited.....	545
Investigation—County and Township, Roads, Highways and Bridges Laws	545
Drainage Laws .....	546
Insurance Laws .....	546
"Lincoln Way" .....	547
Public Utilities .....	547
Submerged and Shore Land Committee Records, Etc.....	548
Joint Rules .....	549
Joint Session—Canvass of Election Returns.....	551
In Honor of the President—Invitation and Committee.....	551
Invitation extended to Justices of the Supreme Court.....	552
Invitation extended to State Officers .....	552
Memorial Service—Justice Melville W. Fuller.....	552
Representative Frank C. Burke .....	553
Memorial to Congress—Monopolies .....	553
Pension Bill .....	553
Treaty with Russia .....	554













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